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BEADLE'S

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# POCKET NOVELS



## Border Law.



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# BORDER LAW;

OR,

# THE LAND CLAIM.

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BY MRS. FRANCES FULLER BARRITT.

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*X Sister of Mrs. Victor*

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# THE LAND CLAIM;

## A STORY OF THE UPPER MISSOURI.

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### CHAPTER I.

#### FATHER AND DAUGHTER.

AWAY, away toward the almost trackless plain stretched the rolling prairies. The Indian Territory had given way before the advancing hosts of civilization, and surveyors, speculators, locaters, squatters, traders and adventurers gathered where the red-man had been, to found new States. Nebraska and Kansas became familiar names; and, as the Pawnees, the Owahas, the Ottoes, the Kickapoos, the Puncas, disappeared like shadows, the tide of restless, eager, insatiable "pale-faces" poured in to make the Indian wilderness to blossom with a new life. The grand old river, coming from the unexplored and mythic regions of the Rocky Mountains, poured its flood through plain and forest, through bluff and bottom, to bear on its bosom the new civilization which it was to serve with the best elements of health, wealth and peace. From its sides spread the avenues of settlement, and villages sprung up like magic to stand as buoys guiding the settler to the new regions beyond, where plains were still unstaked and timber bottoms still unclaimed.

Among those who sought the Nebraska country, at an early moment after its opening for settlement, was Thomas Newcome. Though hailing from Connecticut, he was an Englishman, and had sought "the West," not more to better his fortunes than to gratify an uneasy and reckless spirit, little fitted for the observations and restraints of a New England community. His history had been tinged with the romance—which, unfortunately for happiness and good order is too frequently the truth—of a *mesalliance*: he had won the love of an artless girl, the daughter of a noble family which he served as gardener, and, with her, had fled to America. The mere child-wife of his deception learned her error only too late, and lived long enough to taste the bitterness of poverty as well as the more poignant sorrow of unkindness at the hands of the cruel and unforgiving man she was forced to call husband. The act of desertion had not only alienated her friends and family, but her fortune—the prize which Newcome had most coveted—was disposed of to

others, and the beautiful woman only lived long enough to teach her daughter the grace and culture of a cultivated circle—to impart to her a mother's beauty, and, alas, all her sorrows.

Newcome and his child occupied a claim close upon the Missouri. Their newly-built log-cabin nestled close in upon the belt of timber which, fortunately, ran across the selected section of land, whose boundaries—well defined on three sides by the river, the woods, and a ravine cutting down through the bluffs—were still open and a matter of doubt on the fourth side. The “blazing” of trees, and driving of stakes across the prairies, indicated the limits of the land “located” by the preemptors. Where these lines were thus plainly marked, no doubts could arise as to each man's proper possessions; where the lines were not so marked, or where the stakes had been moved either by accident or design, the limits of the claim might become a matter of dispute. Such disputes often occurred, and afterward proved the source of much litigation as well as violence.

On the fourth side, Newcome's lines were not definitely indicated, and trespassers were not long in waiting. The rich soil adjacent had been located by one of four young men, whose cabin reposed on the bosom of the prairie in the midst of their conjoined claims. The Englishman found the stakes driven on what he conceived to be his soil; whereupon his unruly spirit became aroused to its fullest extent, and he proceeded to pull up the offending landmarks. The stakes, however, were replaced by his bachelor neighbors, and the intimation given that they should insist upon their line—an intimation which stirred Newcome's heart to the point of resorting to powder and ball to defend his claim. Against this spirit of her father, Alicia, his daughter, was powerless. Though but a girl in years, she was his only aid and housekeeper, and alone had to bear her heavy burden. The fear of bloodshed, however, induced her to plead for peace—a plea which only aggravated the parent's unnatural harshness. He walked the floor, in his anger, uttering imprecations on his neighbors. Alicia, to divert his thoughts, at length timidly remarked :

“Mr. Mauvais, from the trading-post, was here to-day inquiring for you.”

“What did he want with me?—the cursed Frenchman!”

“He did not state his business; he said he would call again in a day or two.”

Newcome looked sharply at his daughter.

“Must have been urgent business, I should say! How long did he stay? What did he say to you?”

The young girl felt herself blushing, more at her father's tone and manner, than at any thing she recollects in the interview with the trader. This suspicious manner on the part of the questioner made her own hesitating and embarrassed, as she answered :

“I hardly can tell what he said; though I think he admired the choice for a building spot—remarked that this whole country

familiar ground to him—that he could tell me many interesting stories of the Indian wars, manners, legends, etc.”

“No doubt. *Very* interesting some of them would be. He ought to be pretty well posted in Indian customs. What else did he say?”

“He asked me whether I had any brothers and sisters; and thought I must be very lonely on this wild claim with no one but you; and you gone much of the time.”

“He thinks you need company, does he? Well, I don’t agree with him. I tell you what, Alicia Newcome, if that French trader comes around here any more, asking for *me*, and stopping to talk with *you*, I’ll make you sorry for encouraging such acquaintances.”

“But, how can I keep him from coming, or from talking to me if he should come?” asked Alicia, between grief and resentment at her father’s harshness.

“There’s ways enough. Every woman knows, or ought to know, how to rid herself of the society of disreputable men.”

“But I am not a woman yet, father; and I do *not* know how to give any but a respectful answer to respectful remarks from any one.”

“Too much, mother’s blood, eh? Take care that I don’t see you showing your *good blood* too plainly. You understand? I will not have you doing as your mother did before you—courting with her gracious smiles every one she met.”

This manner of being revenged on his aristocratic wife for bringing him no money was habitual with Newcome, and had been one of the briers in her crown of thorns while she lived. Accustomed as was Alicia to hear her mother sneered at on account of that very gentleness which had made her too easy a prey to a foolish passion and a designing underling, she could but reflect upon her superiority in all those qualifications which confer grace and sweetness; nor could she help being hurt at every fresh insult to the memory of her dead mother, though use had done what it might to render her young mind callous to them. A few slow-dropping tears rolled over her cheeks, which she brushed away stealthily, for fear of giving occasion to a yet more cruel taunt on her likeness to her beloved and departed mother.

The cabin of Thomas Newcome was but a dreary place for so fair a young creature as his only child. Happily for her she did not feel it as a serious misfortune to be poor. Whatever of elegant tastes she had received from her mother’s training while still they abode in intellectual New England, had taught her rather to embellish poverty with many careful arts, than to be herself overcome by its natural ugliness. Thus it happened that, though every thing was most unpoetically new, rude and ungraceful about the cabin home, a air of neatness and propriety were everywhere visible, which spoke volumes in favor of its youthful mistress. And yet, making every possible allowance, and seeing every thing in the most favorable light,

it was, after all, but a poor and barren spot for gentle youth and eminent beauty to take healthy root in.

Perhaps some such thought was in the sullen breast of Thomas Newcome, as he stole a furtive glance at his daughter straining her eyes to hem-stitch some curtains for the cabin-windows by the light of a single tallow candle. What would her proud English relations say, could they see her as he saw her at that moment? Cursing them in his heart, he started up so violently as to upset the rude chair he had occupied, and began pacing the puncheon floor restlessly.

"Go to bed, girl! I want an early breakfast; for I shall be out ahead of them claim-jumpers. If it's boundaries they want that's what I'll give them to-morrow morning. If they dare to pull up one of my stakes, I'll let daylight into them, without further notice."

Terrified at her father's unusually violent mood, Alicia quickly and silently obeyed, retiring to the only bedroom, while her father threw himself on a "bunk" in the common living room; and stillness, if not sleep, fell upon the inmates of that lonely habitation.

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## CHAPTER II.

### AN EVENING IN BACHELOR'S HALL

IN quite a different spirit had the evening been enjoyed by the squatters on a neighboring claim. For the sake of sociability, comfort and economy, four young hunters of claims had agreed to board and lodge together, thus saving the trouble of three other cabins being built and furnished; for the claim-laws only required that a foundation should be laid to indicate possession, and the *intention* to build. Thus, while they surveyed and marked out the lines of their several claims, one roof was sufficient for all, and a vast amount of enjoyment did these amateur housekeepers find in trying to make themselves barely comfortable.

A fine-looking set of young fellows they were, too, in wonderful red woolen shirts, and a surprising amount of beard and hair. Sufficient refinement appeared in their looks and manners to show that they had "seen better days," while enough of the ruddy hue of active exercise glowed on their careless faces to demonstrate the power of air and motion to beautify manhood.

The quartette was made up of four distinct professions—a physician who had never practiced, a lawyer ditto, a surveyor, and an editor—the latter two having had some experience in what they pretended to practice. Very harmoniously lived these four together, in a

shanty of rough boards, furnished with two rude bedsteads, as many plank benches, a cooking stove, pine table, and a few tin dishes. It was agreed among them that, "for short," each one was to be called by his professional title, or an abbreviation thereof. Thus Doc, Squire, Ed, and Flag, served to denote the personality of gentlemen whose real and complete names will transpire in due season. Over the soubriquet of Flag, there had at first been considerable discussion, one contending for Comp., abbreviation of compass; another for Tent, and a third for Chain; but the surveyor himself carried the day, and was voted unanimously to be Flag, at his own suggestion.

"I say, fellows, this is jolly, isn't it?" remarked Squire, kicking up his heels like a four-year-old, as he lay at length on one of the beds.

"Jolly!" reiterated Doc; "I should think so, for you fellows, kicking up your heels on the beds! But this is my fourth day, as cook, and my back aches like blazes."

"Pooh, you talk like a woman," says Flag, in a tone intended to be very disdainful of the weakness.

"I only wish I could hear a *real* woman talking, in this shanty," answers Doc, mournfully. "Confound it! I shall never learn to pour the water off the potatoes without scalding my hands with the steam."

"Why don't you take the potatoes out of the water with a fork?" asks Flag, with provoking coolness.

"Because that's not the way it's done by women cooks," was the reply, in rather a surly tone. "That's the way *you* did, I suppose, when you was cook, and that accounts for their not being fit to eat."

"Without doubt," put in the Squire, soberly; "women are among the most useful of the domestic animals. Now, a man may keep house very comfortably without a dog or a cat, a horse or a cow; but without a woman, something is pretty apt to go wrong. I shouldn't wonder, if we had a woman in the house, if she could put to flight these pilfering mice that are destroying every thing. There was Mrs. Smith that I boarded with when I studied law—she never had a cat about the house nor a mouse either. I suppose she must have caught them herself. Then she didn't keep a cow, and yet we had plenty of milk—she *said* it was milk—for our coffee. There wasn't a dog nor a horse about the place either, that I knew of; and we all got along comfortably. I always thought it was her management. In fact, I suppose a woman to be an epitome of the domestic universe!"

"You ought to be ashamed of yourself—talking so disrespectfully of the sex," said Doc, indignantly. "Your mother was a woman, I suppose?"

"Guess so—couldn't swear to it, though," replied the Squire.

"Well, supper's ready. I hope this coffee is hot enough to burn your tongue, and learn it better manners."

"You're confounded cross to-night, Doc," said Flag, as he seated himself on the bench beside Squire.

"Cross! Wasn't *you* cross. I wonder, while you was cook? To be sure, you said it was because you had such a terrible cold from the wind blowing on your bed during the storm; and that you had liked to have blown your brains out—the only witty thing you were ever guilty of saying, to my knowledge."

"Plague take the mice!" ejaculated Doc, vehemently, as he viewed the wreck of his only bit of butter; "they get into every thing. I believe they would go through a Dutchman's money-chest after a greasy coin; and as to keeping them out of things in *this* shanty, it isn't to be done."

"We'll have to have a rat-tail supper," remarked Flag.

"A what?" asked Squire.

"A rat-tail supper."

"That's a *new* delicacy! Pray how should they be served?" asked Doc, with great interest.

"In soup, I should say," suggested Squire.

"Oh, you unsuspecting innocents," laughed Flag, "would you, really now, desire some rat-tail soup?"

"Why, of course, if it's good."

Flag indulged in an uproarious burst of merriment, which nearly upset the table.

"Explain yourself," said Squire.

After beginning several times and stopping to laugh, Flag managed at last to explain.

"Why, fellows, all there is about it is just this. Where I was raised, down in Southern Ohio, there was lots of rats—in fact the varmints caused very serious losses to the farmers and others. One winter, when I was a boy, we took to forming companies of rat-catchers. Two of these companies would contend together for catching the largest number in a given time; and when the time came for counting tails, the party that was beaten had to give the other party a supper."

"Oho!" said Doc.

"Very patriotic," said Squire.

Flag humanely forbore to laugh any longer at the expense of his fellow<sup>s</sup>, being under a wholesome fear of retaliation at the earliest opportunity.

After supper was dismissed, the dishes were tumbled together into a pan, to be left for Ed to wash when he came home.

"As for doing Ed's work, I am not going to do it an hour longer. Three days is the rule; and Ed has shirked a whole day of his time as usual;" saying which Doc stretched himself on the bed which Flag had considerably given up because the cook complained of an ache in his back.

"Yes, Ed is a shirk, that's a fact," Squire remarked, as the Doctor became silent.

"He is real mean, I think," added Flag. "He always takes the best of everything that the rest of us have troubled ourselves to get; and he never gets any thing."

"That's just it," rejoined Doc; "he is lazy and selfish."

"Suppose we play him a trick?" said Squire.

"Agreed. What shall it be?"

"He'll be sure not to get himself any supper when he comes in, so it is easy enough to trick him. Just set the cold meat and bread on the table in a careless manner, as if it was intended to be thrown out. He won't mind that—he'd rather eat the pieces than cook any thing."

"But I don't see what joke there is in that—it's just what he always does," said Doc.

"Let me finish," said Squire. "We'll just step out long enough to give him time to come in and eat, and, when the fatal deed is done, we will reappear in time to assure him he has just eaten our wolf-bait, strychnine and all. Lord! won't it be fun to see his roaring and kicking? for he will be frightened to death."

"Good," cried Doc.

"Excellent," echoed Flag. "But we must hurry, for I hear his whistle already."

"There goes the stuff on the table. Let's run now, boys."

Doc quite forgot his back-ache, and was lively as a cricket, while the others were not behind.

"Where are you going?" called Ed, who at that moment came within hail.

"Going to see if old Newcome isn't staking his claim by moonlight," answered Squire, cheerfully; "be back again directly."

The three retired to a safe distance, and discussed the best manner of giving the alarm.

The unsuspecting Ed lunched off the broken remains of the supper with the relish of a hungry man, and then betook himself to a newspaper *fresh* from the "States," whose date made it two weeks old.

"You are late this evening, Ed," remarked Squire, as the conspirators returned; "got any news?"

"Not much; some interesting letters from the Crimea. That's pretty much all that's worth reading two weeks after printing. Confounded bore to be deprived of the daily news isn't it?"

"Tis so; but then a fellow soon gets used to it. It's all in habit."

"Yes like every thing else," rejoined Doc. "Had any supper, Ed?"

"Well, I helped myself to the leavings; guess that'll do."

The Doctor gave a start, and turned to survey the table.

"Good heaven! did you eat that stuff on the table?"

"I eat some meat and bread, to be sure I did. But what is the matter? You all look as if you had the palsy."

"You're a dead man!" exclaimed Doc, sinking upon one of the benches.

"The wolf-bait ! strychnine ! " cried Squire and Flag, in tones of horror.

"What do you say ? Was the meat poisoned ? " asked Ed, pitifully, his face and limbs fairly rigid with terror.

"What do you give for strychnine poison, Doc ? " inquired Squire, with a sudden appearance of hopefulness. "It may not be too late to save him yet."

"But strychnine acts almost immediately," groaned Flag, despairingly.

"Oil ! fat ! lard ! grease ! " ejaculated Doc, rapidly. "We've got some lard and some oil; I'll try that."

While Doc plunged an iron spoon into the lard-can, Ed sat rocking himself to and fro on a bench, with his hands on his stomach, and an expression of agony upon his countenance.

"Oh, it's no use," said he, as Doc offered him a large spoonful of cold lard; "it's too late now; the poison has done its work. Oh, I am in such awful pain ! Oh, dear ! oh, dear ! how could you be so careless ? "

"Forgive me, Ed, before you die, if you *do* die; but perhaps you won't die, after all, old fellow," said Doc, affecting a cheerful manner. "Come, take this lard, quick—there's no time to lose; swallow it right down."

Dying though he believed he was, poor Ed found it hard work to get a quarter of a pound of cold lard down his throat. After swallowing a small portion of it he laid down on the bed in despair.

"Don't give up so, Ed," said Flag, kindly "take this oil, which is easier to swallow. Come, now, *don't* give up."

Thus urged, Ed made an effort, and swallowed the contents of an oil-cruet at one gulp.

"Isn't that enough to save me, Doctor ? " he asked, writhing with imaginary pains and real sickness of stomach.

"I don't know; don't you feel any easier since the lard ? "

"Oh, no, I don't feel any better at all. I believe if the lard was melted I could take it easier. Somebody rub my stomach for me, can't you ? "

Squire and Flag proceeded to rub him as requested, while Doc melted some more lard in a tin cup over the flame of a candle, for the fire in the stove had all gone out.

"I believe the rubbing does me good," gasped the poor victim, who could with difficulty get his breath under the vigorous treatment of his friends.

"I think it does," replied Doc; "and now if you can manage to get down a little more of this grease I guess we shall be able to save you."

"Oh, Lord ! " cried Ed, as his stomach heaved at the nauseous dose; "it is near about as bad as the poison."

"Never mind, Ed," was Squire's advice; "if it saves your life you can get over the medicine."

"There, that will do, boys. I'll just lie still awhile, and see how I feel;" and the poor fellow lay groaning under a horrible sickness, while his anxious friends stood grouped about his bed in silent sympathy. Presently there was a violent retching and vomiting which really alarmed his friends for fear some injury would come from it; and, after a while, silence and exhaustion. After repeated violent vomitings, poor, victimized Ed fell into a profound slumber, and the three conspirators retired to rest, almost ashamed to laugh at the success of their joke, satisfactory as that had been.

At an unusually early hour of the morning, the whole party was awakened by a noise as of some one coming in.

"Is that you, Doc?" yawned Squire, who occupied a bed with Flag.

"No," said Doc, "I guess it's Ed; he's not in the bed at any rate."

"What are you up so early for, Ed? Do you feel worse again?"

"Worse! I guess you would feel *worse* if you had half a pint of oil and as much more lard griping in your vitals."

A roar of laughter burst from the occupants of the beds, which caused some grumbling on Ed's part.

"It's very easy for *you* to laugh, no doubt; but if either of you had come as near being poisoned to death, and had to suffer the way *I* have, there wouldn't be so much fun in it, I reckon."

"That's a fact," put in Squire, sympathizingly. "You'll be all right again, and it is mean for the fellows to laugh when you have been in such danger."

"Well, we weren't laughing at your accident, you know," added Flag, "but just at the funny parts of the treatment. But I think, after all, Ed, we ought to make you pay for the wolf-skins, 'cause we'd surely have trapped three or four, it was such a pretty night for them to be out."

"More likely that I ought to sue you all for damages," groaned the victim, rocking himself to and fro in the darkness in a frantic manner.

"Don't be wrathy, Ed; of course, it was all a mistake. Doc shall do double duty now, and be cook for two days longer, as a punishment for his carelessness."

This promise somewhat mollified Ed's resentment, and he soon subsided into a doze.

An early breakfast was prepared, in order to give all a good start in the business of the day. It was pretty well understood that Newcome intended to remove some of the stakes which bounded a claim belonging to Squire and Doc, and the young men resolved to be on the ground in time to intercept such irregular proceedings.

Flag had business with a party of surveyors, which would take him several miles from home, and keep him out until nightfall. Ed declared his intention to go hunting, if, after eating some breakfast, he felt able to carry his gun.

"Then you can shoot the wolves you cheated us out of last night," remarked Flag.

"Confound you, Flag! I've half a mind to shoot you, or Doc, or whoever it was that put the strychnine on the meat, and then left it on the table. I'm not sure but I could make out a case of intentional poisoning, and have you all arrested."

"No, you couldn't Ed," said Doc, with a provoking smile, "because there wasn't any strychnine on the meat. You've just been cleverly sold, that's all."

Ed glanced at the faces of Squire and Flag, and saw that they were on the point of "exploding." Hastily finishing his single cup of coffee, the victim of the "sell" arose from the table took his gun from its rest, and left the shanty without a word.

"Whew! he's as mad as a hornet," said Flag. "I shouldn't wonder if he did something ugly in revenge."

"Yes, wouldn't he be enraged if the joke should get into the papers? His editorial dignity, and all that. He'll never forgive us, you may be sure."

"Nonsense! a tempest in a teapot," said Squire, with an uneasy laugh.

"It will blow over by dinner-time; he didn't eat much breakfast, and hunger is a potent agent to bring an enemy to terms," philosophized Doc.

"Well, good-by, boys, for I must be off to camp." The young surveyor rose, shouldered his kit, and stood in the doorway. "Take care of yourself, Doc. Don't let Ed do any cooking until he gets over his pet, or he might poison us, in good earnest;" saying which, the young man turned his face toward the western prairie, whistling gayly as he went.

"Flag's a good fellow," said Doc, thoughtfully; "long may he wave!"

### CHAPTER III.

#### THE TRAGEDY IN THE TIMBER.

THE beauty of this May morning seemed to have called abroad every thing animate. Birds sung merrily from the neighboring woodland—the sly and graceful prairie-wolf leaped noiselessly through the grass within a few rods of the passer-by—great, fat, lazy and harmless snakes lay coiled up in pairs on the sunniest banks, and already small yellow butterflies fluttered around the wild pinks, larkspurs and honeysuckles.

Henry Edwards and Fredrick Allen, the Doc and Squire of the

foregoing chapter, could not restrain their pleasure as they trod buoyantly along the way to their claim. Their path lay along a ridge of the bluffs which divides the prairie from the timber land; on one side an ocean of green land billows on the other a sloping forest, going down, down, for a mile of irregular descent, until it came to the banks of the mighty Missouri, glimpses of which could be seen here and there, through long green vistas made by ravines traversing the bluffs in a downward direction to the river. The sky had that beautiful azure hue which denotes a pure atmosphere; the sun shone brilliantly; and to the two young men who sung, and laughed, and shouted as they walked, with axes slung over their shoulders that never felt the weight, life seemed a festival, bare existence a rich delight.

There was another young creature abroad that morning who felt 'glad that she was alive.' Having prepared her father's early morning meal, as the night before directed, and put the simple furniture of the cabin in order, Alicia had come out with her basket to gather strawberries, thousands of baskets of which were lying in luscious ripeness among the hazel-bushes that skirted the prairie. Nothing could have been more entirely appropriate as a crowning beauty to the May morning landscape, than this young English beauty. The simple, flowing dress, the pretty straw hat, the scarlet shawl crossed over the girlish bosom and tied behind, to be out of the way of the bushes—these first caught the eyes and fixed the admiring gaze of the young men on their way to dispute boundaries with her father.

Alicia Newcome was not personally known to either of them, though the fame of her beauty, which was spread abroad among the settlers, had already reached their ears. A nearer view of the face, half hidden in soft flaxen curls and shadowed by the wide straw hat, left no doubt who was the charming strawberry-girl they found it necessary to pass, though with never so much reluctance.

With a courteous salute, the young men walked past, each wishing in his heart he had some good excuse for speaking to the lovely child-woman—for so she looked—yet not venturing to abash the gentle modesty that breathed from her very figure; and had gone on but a few paces, when a cry of alarm suddenly arrested their steps, and caused both to hasten back to the spot where Alicia was standing, spell-bound with terror.

Two immense serpents, coiled together into a mound of frightful dimensions and appearance, explained the occasion of her alarm.

"They are quite harmless, Miss—Miss Newcome, I presume?" began Fred Allen.

Alicia drew a long breath. "Oh, I beg your pardon, sirs, for interrupting your walk, but I am so timid about snakes, and don't know a harmless one from one that is venomous."

This was said while the three hurried rapidly away from the ugly-looking coil.

"It is no wonder you were frightened, I am sure," the Doctor rejoined. "I never fail to be startled at every form of serpent, whether fanged or not. Pray, let me carry your basket, for I perceive you are still trembling."

"Oh, no, sir, I thank you. It is not large enough to be heavy; and not half full either," she added, smiling. "I don't think I shall fill it to-day."

"For fear of more frights? Let us see if you have enough for dinner," said Allen, smilingly taking the basket from her hands. "Why, no; here is not half a basketful, sure enough. There are plenty of them over on my claim, close by. The Doctor, here, and myself could soon fill it for you, if you will allow us."

A look of frightened perplexity came over Alicia's before untroubled face, and pausing instantly, she extended her hand for the basket.

"No, no; you are very kind, but I cannot trouble you so much." Then seeing that the young men were surprised at the sudden change in her manner, she seemed to take a rapid mental survey of her situation, and eagerly continued, in tones of childlike earnestness: "For you are the gentlemen, are you not, whom my father is disputing boundaries with? I don't know who is right. I think it very likely my father may be wrong—he is hasty—but—oh, sirs, I fear something sad will happen if the dispute goes any further."

Her evident apprehension, and the tearful pathos of her glance, as she concluded the last sentence, affected the young men visibly, though it was only through sympathy.

"Do not be alarmed on your father's account, Miss Newcome," Allen said, gently. "I give you my word that I shall not use violence in this quarrel."

"It is not my intention, either, to do so," added the Doctor.

"I am very much afraid," murmured the young girl, sadly. "I ought not to conceal from you that my father is in a terrible passion, and that he took his gun with him this morning."

"Then," said Allen, affecting an indifference he did not feel, "your father is safe, and it is only we who are in danger; for we, you perceive, are not armed."

The child was not used to argument, nor to express her own convictions very often; therefore she gave for answer not words indeed, but such a look of touching appeal as was better than a whole chapter of logic. Allen felt his heart give a great bound in answer to it.

"If you will let us fill your basket with berries, and go home contented with our peaceable intentions, I think I may promise you a happy settlement of the present difficulties. What do you say, Doctor?"

"That I shall be very happy to help bring about the promised settlement."

Thus urged, the young girl complied pleasantly. She secretly thought, besides, that delay was in this case not "dangerous," but,

on the contrary, might prove a means of conciliation, by giving her father time to cool his anger, in the bright morning air. Cheered by this hope, her native graciousness of manner returned to her, and she received the heaped up basket with mirthful thanks.

"Good-morning now, Miss Newcome," Allen had replied; "perhaps your father may invite me home with him, to help eat them."

"I hope he may," was the fervent rejoinder; the echo of which answer rung in Allen's ears, and lit, also, a half-conscious blush on the cheek of the fair child herself, as she remembered her father's taunts of the previous evening, and feared she had been too forward in conversing with these strangers.

In a somewhat altered mood, the young men proceeded on their morning walk, and arrived at the disputed boundary in time to find their stakes already removed, and new ones placed where they cut off a valuable portion of their claim. This alteration prevented their prairie and timber land from joining, as it did before, and spoiled the shapeliness of the claim. The first impulse of either was a disposition to fight it out by force, if necessary—for they had the claim-laws on their side—but, upon remembering their promise to the timid child they had just parted from, a better resolution replaced the promptings of passion.

"All we can do in the premises," said Allen, "is to pull up these stakes, as Newcome has done, and put them back in their former places."

"Agreed," answered the Doctor. "I don't see any other way." For half an hour the young men worked uninterruptedly; but, coming to the border of the timber, they then perceived Newcome, leaning against a tree, and carefully watching their proceedings. Resolving to take no notice of him unless first addressed, they continued pulling up and laying the stakes in heaps, until they came quite opposite the spot where he stood.

"You'll find your labor lost, gentlemen," he remarked, grinning maliciously.

"Very well; we can repeat this game as often as you can," was the Doctor's impulsive reply.

"You may repeat it once too often!" retorted the Englishman.

"Do you threaten me?" asked the Doctor, angrily.

"Remember our promise, Doc," muttered Allen, so as not to be heard by the other. "Let the obstinate dog go: he may do you some mischief."

"If I don't threaten I may execute," said Newcome, with an ugly sneer.

Allen now saw that this war of words was likely to continue to an unprofitable length, and desiring to cover the Doctor's irritation, he hastened to put in a reply before his friend could do so.

"We don't think, Mr. Newcome, that you will do any thing violent or unlawful. If we can not settle this difficulty between our-

selves, we can take it before the claim-club, or into a court, if you choose."

"No, you don't get me into law, my fine gentlemen! I know very well where my rights would go to, in that case. Folks of *your profession* are not troubled with too much honesty, and I prefer to settle my own difficulties."

"Take care what you say!" cried the Doctor, whose blood—Irish blood it was—was roused.

"Pshaw! don't mind the poor fool!" muttering which contemptuous expression Allen turned away, but not in time to have escaped a blow with a heavy stick, had it not been averted by the Doctor, who struck up the cudgel with the ax he carried in his hand, and which in descending just grazed the arm of Newcome.

The man's eyes fairly blazed with malice, and instinctively he clutched and half raised his gun, which hitherto had rested against the tree.

"Take care, Newcome! don't shoot!" exclaimed Allen, hastily. "I apologize for my discourteous language, which you were so unwise as to provoke. Let this business stop here, before it comes to something we should all regret."

"I shouldn't apologize—I'd have the man arrested," cried the Doctor, passionately.

"Have me arrested if you dare!" hissed Newcome, through his clenched teeth. Saying which, he laid his gun on his arm, and stalked into the woods.

The young men stood conversing for a few minutes, undecided what course to pursue with so desperate an enemy, when sharp and loud came two distinct reports, almost in the same moment, and the Doctor fell to the ground, exclaiming, as he fell:

"Allen! my God, I'm shot!"

For a short interval of time the young man was so distracted by the loss of his friend as not to know what course to pursue. But seeing at last that the Doctor had really ceased to live, the necessity of doing something to secure his murderer suggested itself; and despairing of success single-handed in such an undertaking, he set out rapidly for the trading-post, as the nearest point at which help could be obtained.

Soon the whole settlement was engaged in the pursuit, if pursuit it could be called, for the culprit had made no effort to escape, but was found still in the woods, near the spot where the murder was committed. The man eyed those who came to arrest him at first with a defiant scorn; but when told that he was accused of the willful murder of Dr. Henry Edwards, he gave a terrified start, and drooped his head forward as if smitten with a sudden mortal pang.

The dead body of Edwards was conveyed to Fairview, the county town, and laid out in the room where the examination was to be held, before one of the district judges.

## CHAPTER IV.

## THE EXAMINATION.

WHEN Allen, who was the accuser of Newcome, was asked if there were any other witnesses to appear at the preliminary trial of the man, he was forced, very much against his own feelings, to name Alicia Newcome as the only person who could, to his certain knowledge, give important evidence in the case. There were others, no doubt, who knew of the hostile feelings of the prisoner toward the murdered man, and himself also; and such persons were publicly asked to come forward and give in their evidence. As for the prisoner's daughter, it seemed cruel to oblige her to testify against her own father, and that she might not be too much alarmed at the summons, he proposed to go first and break the news to her.

The cabin of Thomas Newcome stood in the center of a clearing, on the sloping face of the bluff, overlooking the Iowa side of the river, and affording a glorious view up and down the Missouri for miles. The little square patch of cleared ground was walled about on three sides by thick woods, which living wall was everywhere festooned with wild grape-vines diffusing a delicious perfume. Below the house, along the path to the river, were clumps of wild plum-trees and gooseberry bushes, mixed with raspberry and elder, the fruit already defined in shape, and promising an abundant harvest.

The cabin's young mistress was busy preparing the midday meal, yet making frequent pauses in her work to stand in the little rustic porch shading the door, and gaze at the shining river, the exquisite blue of the sky, the luxuriant foliage of the spring—bursting out in song every now and then, as she thought what a glorious thing it is to live in such a world.

As Allen approached the house he caught the sound of the bird-like singing, and it almost paralyzed his limbs; for how could he so soon change that happy music to cries of anguish? He knew she was flitting back and forth, and round and about, for he could notice the changes in the sound of her voice as she did so. Just as he reached the porch, she had flitted to the door for another glance at the beautiful May landscape and smiling heavens, her flaxen curls prettily disordered by exercise, and such roses blushing on her cheeks as only blossom out of English complexions, or our *New England* ones.

But the roses faded, and the gay carol died on her lips, at the sight of her visitor. Involuntarily she stretched out her hands, as if to beg of him not to tell the news he brought. Allen took them in his own very tenderly, and led her into the house, where he per-

ceived the table already spread for dinner, in the center of which was a dish of delicious-looking strawberries.

"Ah," said he, making a poor attempt at a smile, "I hope you will allow me a dish of this beautiful fruit, though I have come uninvited."

"But he did not release the little hands that they might serve him; he only looked anxiously in the changing countenance, with a weakness at his heart which he could not overcome.

And Alicia herself, between embarrassment at his singular manner and a conviction of some impending calamity, was unable to extricate her hands from his grasp, or to ask for an explanation of his visit. How long Allen would have remained tongue-tied on the subject he had come about is uncertain, had he not caught the sound of excited voices approaching, and felt the necessity of breaking the news before they should reach the house.

"Poor little girl!" he hurriedly whispered, "I have bad news for you. Your father is under arrest—"

The sentence remained unfinished, for he felt her hands drawn suddenly out of his, as she sunk fainting at his feet.

He had laid her on her father's bunk, and was endeavoring to restore her to consciousness, when the constable made his appearance, attended informally by two citizens of Fairview. The constable, who was a tender-hearted man in his rough way, was very much impressed in this instance with the unpleasantness of his duty.

"So she tuk it hard, did she, poor thing! I'm glad I didn't see her faint away. Never could bear to have women folks mixed up in sich scrapes; they allus take on so, a man feels mighty bad to see 'em."

Allen made no reply. He was thinking of the part he must act in this sorrowful business, and feeling beforehand how that young creature would hate him as her father's accuser, and what desolation he should be instrumental in bringing upon her.

"Why, she's nothing but a child," remarked another man, peering over the constable's shoulders. "I wonder if she's all the house-keeper Newcome had—the old wretch!"

"I don't see where she got her beauty from," was the comment of the third person; "she's mighty pretty, that's certain."

"Sit down, gentlemen, if you please," said Allen, a little impatiently; "you keep the fresh air from her."

"She's a-comin' to now," observed the constable, as he walked to the porch and sat down on the steps.

The other men had less delicacy, and hung about, as near as they felt it safe, in the neighborhood of the reviving girl. Allen wanted to thrash them; but restrained his indignation by silence. Carefully as a woman he arranged and composed the disordered dress, watching for the first convulsive signs of recovery, which were heralded by frequent faint moanings.

"Oh, my father!" at last broke from the pale lips. Several

times was the expression repeated ere she opened her eyes, to find herself watched and tended in such a strange way by all those unknown men. The sight of these new faces seemed to impart resolution and strength. She instantly raised herself to a sitting posture and restrained her moans, though the tears now rolled over her pale cheeks in a shower.

"Be comforted, Miss Newcome," said Allen; "your father is well and safe for the present. Providence may show some way of clearing him yet; at all events, it is too early to despair."

The constable, coming in to inquire if she was better, overheard the latter part of this attempt at consolation.

"La! yes, Miss. It isn't half the men as is accused that gets anything proven agin 'em. Like as not this may turn out to be accidental shooting at the worst."

"Is it true, then, that my father killed some one?" cried Alicia, a composure almost frightful in one so young settling upon her face. "Why," she continued, addressing Allen, "you are alive! and--and--who then was killed?"

"My friend, Dr. Edwards, was shot," replied Allen, gloomily as a vivid recollection of the occurrences of the morning returned to him.

Alicia made no reply, the occasional convulsive movements of her face alone indicating her increased agitation. Seeing that the strangers were evidently waiting for something which she did not comprehend to transpire, she whispered to Allen, who still maintained his seat beside her, to know the occasion of their presence. Allen beckoned the constable.

"This gentleman," said he, "will explain what is necessary for you to do."

"My dear Miss," began the constable, embarrassed, "it is very unpleasant of course for a daughter to give evidence agin her own father, an' I hope you may not have much to give that will go agin him; for your sake I hope it. But law and justice make it necessary for you to say what you know about this affair, before the Judge, today."

Alicia had listened silently to every word uttered by the officer of the law, as if she might discover some comfort in them for her heavy trouble; but when she found that they only showed her the influence which she could and must use in fixing her father's guilt, her despair quite overcame her fortitude, and she broke out into piteous sobbing, and cries of, "Oh, my father! oh, my father!" Tears came into the eyes of all present.

"I guess," said the constable, "as the examination don't come off till three o'clock this afternoon, we'd better go home now, and send some of the women-folks to comfort her. 'Pears she'll cry herself sick at this rate."

"Miss Newcome, I am obliged to return to the village now to attend to the affairs connected with my friend's death," said Allen,

with an effort, forcing himself to speak. "Shall I send some one to you?"

"Oh, no! oh, no! I do not wish to see any one, unless I could see my father," she added, looking inquiringly toward the constable.

"Must say no to that, young lady, though I am real sorry, but you can not see your father 'fore the examination," answered the officer.

"Shall I come for you this afternoon?" asked Allen, thinking that, friendless as she seemed, she might accept this service even from him, who stood to her in the light of an enemy.

"No, oh, no! I will come by myself to the village. But where shall I find him?" she asked.

"Waal, he will be at the Judge's house, I reckon, 'cause we ain't got a court-house in Fairview yet," answered the constable. "I'll bring down my light wagon for you, at the right time; so don't trouble yourself about nothing. only to get over feelin' so bad. Mebbe there ain't no use of it, after all."

With this consoling remark the officer left the house, beckoning his two attendents after him, who came rather reluctantly, as they perceived that Allen still lingered, and they had "come to see it out."

"I wish to assure you, Miss Newcome, that I did not violate my promise this morning, and that I would have done much to have prevented this catastrophe, for your father's sake and yours, as well as my poor friend's."

"Oh, dear me! I can not thank you for that, Mr. Allen, for it only makes my father's case so much the worse."

"Remember one thing, poor child, your father's guilt is not yet proven or known. You can be as *guarded* as you choose, in your evidence; and now I must leave you to compose your mind for the trial. Try and think of every thing that will go in your father's favor."

"Thank you for that," cried the grateful girl, as Allen turned rapidly away to overtake the constable.

So deeply rooted in her mind had been the apprehension of some violence on the part of her father, that Alicia had scarcely questioned the truth of the charge preferred against him; in fact, she did not expect his acquittal, and hence the vehemence of her grief. But she was too young, and knew too little about the nature of evidence to realize that her own testimony would do more to commit him than that of any one else not a positive witness of the crime. The circumstances of the murder being all unknown to her, she naturally looked for the convincing proofs to come from some one concerned in the affray. Therefore, in thinking over what she might have to say, she had almost persuaded herself that she could soften the weight of any but *positive* evidence against him; and remembering that Allen had said her father's guilt was "not yet proven," she took a little comfort from this small ground of hope, and prepared with some courage for the trial.

That apartment in the Judge's house temporarily converted into a court-room, by three o'clock was filled almost to suffocation with the people of Fairview and vicinity. In the center was a rude table, on which reposed the body of the murdered man, it having been examined by a surgeon, and the ball extracted from the deadly wound. On one side of the table stood the prisoner, and on the other his accuser, while a few feet distant sat the Judge, and near him, counsel for both sides.

When Alicia entered the court-room, it was observed that the prisoner started violently, and that his brow contracted into a sullen gloom. The murmur that arose upon her appearance soon subsided, and an anxious silence prevailed in the assembly, while the proper officers proceeded to open court.

Allen was first examined, and related the interview with the prisoner as it occurred, as also the circumstances of the death of Edwards; forbearing to refer to the warning given him previously by the prisoner's daughter. Other persons testified to a knowledge of the dispute concerning the boundary of the Newcome claim; and also that the prisoner had often spoken very angrily about the owners of the adjoining claim.

Alicia Newcome was then sworn. People murmured as they observed how pale and frightened she looked, and saw the entreating glances she cast upon her father. They also noticed that he kept his eyes constantly averted. The witness testified, in a voice hardly audible from agitation, that her father had spoken very excitedly on the subject of the dispute the night previous; that he had said he would pull up the stakes of the other claimants; that he had even threatened to shoot them—the claimants. Also, that he was a man of irritable temper, and sometimes threatened her; and she raised her voice a little as she added, of her own accord, "but he never struck me when he has threatened, and so I do not think his anger is of a dangerous kind."

There was some cross-questioning, and inquiries into the nature of the wound, from which it appeared that the extracted ball fitted the prisoner's gun and also that the gun when taken was empty, and had been recently fired.

Counsel for defense reminded the first witness that he had stated that there were *two* shots fired almost simultaneously. "Did witness see who fired either of them?"

"No."

"Was there any apparent difference in the nearness of the reports?"

"Now hat am reminded of it, I think I noticed a difference a the time."

"Which shot was it, first or last, that took effect on Dr. Edwards?"

"I could not say. I had heard *both* before he fell."

Counsel for prosecution then desired to know what direction the

prisoner took when he left witness; and in what position the murdered man stood in reference to that direction.

Witness "could not answer positively. In the excitement of the moment did not notice more than that the prisoner went into the woods behind us; but whether to the right or left, could not say."

The surgeon then uncovered the body, and demonstrated that the ball must have come from the left of where the deceased was standing at the time; and also that it had been fired from a lower point of ground, as the appearance of the wound indicated.

While the body was uncovered there was a strong sensation in the room; and it was noticed and commented upon that the prisoner showed no emotion at the sight, but rather seemed curious to observe the correctness of the surgeon's observations.

Upon the testimony offered, the Judge felt compelled to commit the prisoner for further trial, and to await the impaneling of the Grand Jury. The crowd, who had been waiting in suppressed wrath to obtain this sanction to their already settled convictions, now began to mutter threats, and to talk about "stringing him up," "putting him in the Missouri," and the like methods of executing hasty justice; none of which threats seemed to alarm the prisoner, who, during the whole examination, had been calm, though sullen; and had only said in reply to a question from the Judge as to what defense he could make, that he "had not killed Edwards; that there was somebody in the woods besides him."

The sheriff, constable and a few others quietly surrounded the prisoner, and the Judge requested the crowd to disperse peaceably, as the law was amply able to take care of offenders; and that they must show respect for it by keeping it themselves; counsel to which they reluctantly yielded, after some mutterings.

Then came a scene which tried the nerves of the spectators. The poor unhappy daughter, who felt that she had done her father so miserable a service, was waiting for the opportunity to beg his forgiveness before leaving him to loneliness and imprisonment. Throwing herself on the floor, she bowed her head on his knees, and gave way to sobs that wrenched her delicate frame with their violence.

"Oh, my father! would I had died before I spoke such words as I did. If they kill you, they shall kill me, too; for what have I to live for, without mother or father? Oh heaven! how terrible it is!"

To these piteous lamentations the offended father turned an indifferent ear. "She could cry and lament, now that she had done what she could to deprive herself of a father; but she must not expect pity from one she had not pitied;" and, finally, he expressed himself weary of her complaints, and, rising, left her fainting on the floor.

It would have been well for Thomas Newcome if he had shown some compassion for his suffering daughter—the impression of his cruel nature gaining more ground among those who witnessed this exhibition of it from this one circumstance, than from the accredited fact of the shooting an enemy.

But there was pity for her in other hearts, if not in his. The constable's wife had lingered behind to offer sympathy and protection; and now, when she beheld the misery and helplessness of the poor child, her woman's heart bled for her.

"The poor, dear young thing! She shall not be motherless, nor yet fatherless; for I will be a mother to her, and my husband shall protect her as a daughter."

Mrs. Wyman spoke with that inspiration of eloquence which genuine feeling imparts to even the humblest language; and from that moment Silas Wyman's wife took a high rank in the esteem of all present—a rank which she continued to hold by after deeds of goodness; for the friendless and homeless girl was taken immediately to her home and heart, and cherished and nourished through a lingering illness which had nearly cost her life.

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## CHAPTER V.

### AN APPARITION.

THAT evening, when the surveyor was returning home, healthily weary, and in anticipation of the usual merry times at the shanty, he fell in with the editor, mounted on a pony, and pacing easily along in the twilight.

"Is that you, Ed? How do you do by this time?"

"None of your business," retorted Ed.

"Come, now, old fellow, don't be cross about a joke. Remember, the Bible says, 'let not the sun go down upon your wrath;' and it's after sundown now. Give me your right hand of fellowship, my friend, and let's forget about this matter, until you get a chance to pay us fellows back."

"Pooh! don't be sentimental, Flag. I suppose I've a right to be out of humor if I please; but you need not feel troubled about it. As for paying you back, you may be sure I shall do that at the first opportunity; and there'll be time enough after that to shake hands."

"Just as you please; hope it won't be long," answered Flag, good-humoredly. "Where did you get that pony?"

"Bought him."

"He's a fine, stout fellow. What did you pay for him?"

"Traded my gun to one of the Omahas for him."

"Did you get any game this morning?"

"No. I made up my mind to go and look at a claim down on the Platte; and that's where I found this animal."

"Hope Doc has supper ready," said Flag, as they came in sight

of the shanty. "But there's no light, and, of course, no supper, and I'm as hungry as a starved wolf," he added.

Flag went into the shanty and threw down his kit, while Ed remained outside to picket his pony.

"I don't see what keeps Doc and Squire out so late, this evening," Flag remarked, coming up behind Ed so unexpectedly as to cause him to jump aside as he was driving a stake in the ground. "I believe I shall go up to the village and get my supper. What do you say to going along?"

"I'm not hungry; but I'm tired, and I shall stay at home and go to bed."

"Very well; I wish you a good night's rest," and Flag turned away, half amused and half provoked at his messmate's surly humor.

It was near midnight when Flag returned, accompanied by Allen --other friends and citizens having volunteered to take charge of the body of Dr. Edwards. The night was beautifully light and warm. As the young men walked homeward, conversing on the events of the day, their imaginations became very naturally much excited, and enabled them to recall each and every past circumstance of their association with the deceased. These reminiscences had quite scared away all sleepfulness, and when they threw themselves upon the bed which they occupied in common, it was not to close their eyes, but only to relax their limbs, while they continued their talk.

"We ought to waken Ed, I suppose, and tell him about this affair," said Flag.

"No, not to-night," answered Squire, wearily. "I have had excitement enough for one day; and what's the use of spoiling his sleep, since he *can* sleep?"

"I heard a great deal about Newcome's daughter, in the village. Is she such a wonderful girl as the people make her out?"

"If you mean is she very intelligent and pretty for her station and parentage, yes. And very gentle and affectionate too, I should say. I wonder where she learned her ladylike ways."

"That's what the Fairview people talk about. The Judge's wife is very much taken with her, and is sorry she let the constable's wife carry her off."

"She has fallen into good hands, I think; but the poor girl was terribly broken down by her misfortunes. I happened to see her in the morning before we met her father, and she was as rosy and smiling as a young thing could be. But, after the mental struggle she had to go through with, and a couple of fainting-fits, she was very much changed."

"Her father must be a cruel and cowardly wretch, according to all accounts. Do you suppose there can be any doubt of its being he who shot the doctor? I heard one man suggest that there was room for doubt in the case, notwithstanding the strong testimony against him."

"Well, of course, every thing admits of doubt which is not prov-

“ but I don’t know what stronger circumstantial evidence could be brought to convict a man. Why, Doc hadn’t an enemy in the whole world that I ever heard of. He was so generous with men, and so gentle with women, that I often envied him his power to attract everybody to him. This is the only trouble of any sort I ever knew him to get into—this fatal claim-quarrel.”

“ Yes, and that makes it seem so much worse, that he was killed by malice—if killed by malice he was. But suppose, as that man said, the *other shot* might have killed him, and killed him accidentally? ”

“ In that case do you suppose any man would be so base as to conceal the circumstances, and let another man bear the accusation of willful murder? It is not probable, in the least; and if nothing better than such a supposition comes to aid him, Newcome will surely be convicted.”

The young men remained silent for some moments, each engaged in painful reflections. There was no light in the room but that of the moon, which shone in at the uncurtained windows so as to illuminate it quite enough to make all its contents distinctly visible. Without thinking about it at the time, they had, as they afterward remembered, specially noticed the order and arrangement of every thing in the room, as being so remarkably brought out by the unusual splendor of the moon’s brilliancy. Some such recognition of the fact was present to their minds at that moment. It was a momentary, partial obscurity of one of the windows, which drew their attention to the circumstance that some one was passing it in the direction of the door, and led them to look for it to open. It did so, though without noise or jar, and the familiar form of their late friend glided beside their bed.

Standing there, he opened his vest and put a finger to the wound in his side, his face wearing an expression of agony which was perfectly distinct, and terrible to behold. Then silently turning, he pointed to where Ed was lying muttering in his sleep, and vanished away before their eyes. So paralyzed with horror were both the young men, that, for a brief interval, neither of them spoke or stirred. Squire was the first to recover himself.

“ Did you see any thing, Flag? ”

“ Why do you ask? ” returned he, with an involuntary shudder.  
“ Did you see any thing? ”

“ I saw Doc standing beside the bed.”

“ So did I. Can this be a trick of Ed’s? He seems to be unusually sound asleep, for all our talking has not waked him, and that looks suspicious.”

“ But he does not know. Let’s get up and look out.”

They arose, and going out of doors, took a view of the neighborhood. There were no hiding-places anywhere near—nothing but the open prairie shining with dew, and no creature in sight except Ed’s Indian pony quietly feeding near the house corner.

"It is very strange," said Squire, standing in the open door after satisfying himself that there was no intruder on the premises.

"Listen!" said Flag; "is that Ed awake?"

"What is the matter?" inquired Ed, as they turned toward him. "Where is Doc? Has any thing happened to him? Why are you not in bed?"

"What makes you ask if any thing has happened to Doc?" asked Squire, giving Flag a sign of silence.

"I had a dream—and Doc has not come to bed. Why don't you tell me what is the matter?" he asked, raising himself on his elbow.

"There is something very serious the matter, Ed."

"Then the doctor is shot!" said he, jumping up hurriedly.

"Yes, he is shot. But how did you know it?"

"I have just dreamed it. Is he dead?"

"Yes, dead. He was shot two hours after you last saw him."

A smothered groan escaped from Ed, who, half dressed, was pacing back and forth in the cabin.

"Why don't you tell me the particulars?" he asked; "and whether it was an accident?"

After relating all he knew about the cause of Edwards' death, "Now," said Squire, "tell me what you dreamed?"

"I dreamed," answered Ed, still walking rapidly about and shivering, "that I saw the Doctor come into the cabin and show you a wound in his side; and he looked awful—awful!"

"Did he make any sign or communication, besides showing his wound?" asked Squire, now deeply interested to learn how what he had *seen* and Ed had *dreamed* entirely corresponded.

"No, why do you ask?"

"Only because I wished to know whether you had had the same vision asleep which I had waking; for I, too, saw the Doctor come in and show his wound. Was that what *you* saw, Flag?"

"The very same."\*

"Great God!" muttered Ed; "that is very singular!"

After having related the events of the day over again to their messmate, who gradually grew calm, and almost indifferent, the young men again returned to seek some repose; but it was almost daylight in the cabin before sleep closed the eyes of any of that party to a brief oblivion of their mutual grief and uneasiness.

\* This "short story" is repeated from the lips of a citizen of Omaha, who solemnly testifies to its actual occurrence, in a case nearly analogous to the incidents recorded in this chapter. Those curious in such matters may refer to Mrs. Crowe's "NIGHT SIDE OF NATURE," where numerous attested and verified instances of a bodily appearance after death are recorded. See also Robert Dale Owen's more recent work, "FOOTFALLS ON THE BOUNDARY OF ANOTHER WORLD."

## CHAPTER VL

## JUDGE LYNCH.

THE funeral services of Dr. Edwards being over, and his body committed to the virgin earth of prairie-land, people dispersed to their homes with minds somewhat softened and solemnized by the scene, always impressive, of a stranger's burial in a strange land, but with their hatred of his murderer by no means lessened.

At the big log-tavern in Fairview, the appearance of the three young men who had acted as chief mourners was being descanted upon by a crowd of citizens, intermixed with a few persons from other towns, and an occasional new-comer to the territory. In a country where the population is made up of new-comers, no notice is taken of such except to endeavor to be the first to sell them some claim of fabulous merits, on discovering a disposition in the stranger to "look around." But to-day even the spirit of speculation was dumb and lame in the presence of the more absorbing theme; and a middle-aged gentleman, of fine looks and somewhat lofty bearing, listened with uninterrupted interest to the free discussion going on around him, which gradually became a running commentary on every circumstance connected with the late tragedy.

"I never seen anybody more tuk down than two of them mourners was," remarked one man. "They couldn't a felt worse if they had lost a brother."

"Yes," responded a second, "them are fine fellars. One is a lawyer, son of old Judge Allen, in Ohio, where I cum from; and t'other is a surveyor from Michigan—I don't remember his name, cause Allen allers calls him Flag, and so he's got to go by that. I don't know much about that other feller—he's somebody that I don't like, nohow."

"No; he didn't shed any genuine tears; all crocodile, every one of 'em. He just sniveled, and looked at the spectators over his handkerchief. He's a-mean-looking cuss, and I wonder at Allen's taking him up so kindly."

"Folks mus'n't be too pertickular in a new country," suggested somebody, whom probably the "shoe pinched."

"Well, the best of them's gone, to my notion. He wasn't quite so peart and full of his jokes, nor so for'ard like as Allen is; but he was the best-hearted, plesantest-mannered young man in the country."

"Yes, and we ought to have taken Newcome and strung him right up. That's the way to serve 'em when they get so bold—shooting a man down in cold blood."

"It would have been done, too, if it hadn't been for his daughter. Everybody pitied her—she's such a helpless young thing."

"Her father didn't pity the girl the Doctor was engaged to. The postmaster says there's a letter come to-day from her; and how do you think she will feel when she gets the news that he is dead—murdered?"

"If she'd a-been right afore his eyes though, the way Newcome's girl was afore ours, it might have made a difference. When a man is desperate enough to shoot another man, he don't stop to consider friends at a distance, or how they'll feel about it."

"They say Newcome's girl is right sick; as crazy as a loon all night, and a-begging of her father to forgive her for appearin' agin him. He ought to be hung for bein' so hateful to her."

"I wonder what'll become of the girl if her father is hung? She hasn't got any relations in this country, I heard; and she's so young—not more'n fifteen, I reckon—and disgraced at that."

"Her face is her fortune," put in some one, curtly.

"Yes, and a poor enough fortune it proves, sometimes, to have a handsome face and nobody to take care of it."

"That's a fact. I heard old Mauvais going on about her beauty at a great rate just the day before the murder, and I reckon it's no good luck to have him a-foolin' around. He couldn't marry her if she'd have him, for his jealous Indian wives would tomahawk him, straight; besides, 'tain't likely he'd want to marry a murderer's daughter."

"She's in good hands now. Wyman's wife will see that she is taken care of; and Wyman, too, if he wasn't poor, would be glad enough to keep the girl, for he's mightily interested in her. He's got a soft heart for a constable, Wyman has."

"He isn't so poor, either—but he has bread enough for one more mouth," said the constable himself, appearing in their midst. "Nobody knows, gentlemen, what may happen in the futur', or whether the girl will lose her father or not; but if she does, an' she will take such fare as we can give her, she's just as welcome as a child of my own; an' that's what my woman says; and so, if you please, you needn't be a prophesyin' evil about her, nor her pretty face neither."

"Hurrah for Wyman!" said two or three, at once.

But the constable had not come to be hurrahed, nor to make a figure of himself; he had just dropped in to see what was going on, and was about making his way out again as quietly as he had entered, when the middle-aged stranger before mentioned touched his arm.

"Allow me to pass into the street with you; I wish to ask you

some questions concerning a man called Thomas Newcome. Do you know him?"

"Yes, sir, I know a man of that name."

"Can you tell me where he is from?"

"He is called an Englishman here, though I believe he's late from somewhere in Connecticut State."

"From Hartford?"

"Yes, sir, that's it, I think."

"And he has a daughter—what is her name?"

"Alicia."

"Where is this man—Thomas Newcome?"

"At present, sir, he is a prisoner in the sheriff's house, 'cause we haven't got a jail built yet. Only two days ago a man was shot—supposed to be by him—can't say yet as it *was* him—hope it wasn't."

"And it is his daughter, then, who is at your house, very ill, as I have heard. Can I see her, do you think?"

"Waal, I don't know what the doctor that tends her would say about it. Are you a relation of hers?"

"I have—ahem!—a great interest in her; perhaps can tell her something to her advantage. At all events, it is necessary I should see her personally."

"She wouldn't know you, if you was her best friend. She is clean out of her head about this business of her father."

"It is only necessary I should *see* her; I will not speak to her at all, nor in any way disturb her. I wish to settle a question of identity."

"Waal, I've nothing to say agin it myself. You can go along home with me now, if you think it will be for her advantage, as you say."

"I only said *perhaps*," returned the stranger; "I wish to be certain about it."

As they were not then far from the constable's house, a walk of three minutes more brought them to its unpretending portal. The constable soon explained to his wife the errand on which the strange gentleman had come.

"She's not looking like herself," said Mrs. Wyman, as she led the way into a small, neatly-arranged bedroom on the first floor. "She's had to have her hair all cut off to day, and she had such lots of pretty curls it was a great pity to put the scissors to 'em. And then her face is changed, too, and looks peaked and sunk to what it did, and wonderful for such a little while as she's been sick."

Peaked and thin indeed looked the delicate young face, and more peaked and more ghastly on account of the absence of its former abundant vail of flaxen curls. The sharp outlines were not agreeable, yet the stranger gazed at them long and scrutinizingly.

"This is her hair," said he, touching with his finger the heap of curls still lying on a table.

"Yes. I thought I'd keep them to look at till her hair gets growed out again. It was such a pity!"

The stranger took from his breast a small miniature on ivory, and handed it to Mrs. Wyman, at the same time asking her if she saw any resemblance between that picture and Alicia Newcome when she was in health.

"The dear Lord!" exclaimed the good woman, in admiring wonder. "Was there anybody ever so han lsome as that? Why it's just like a picture! To be sure it *is* a picture—but I mean it don't look like any human creature—only this poor child—and it's hand-somer than she is, though I thought nobody could be."

"Then you think Miss Newcome resembles this picture?"

"Oh, yes, she's mightily like it; sume sweet eyes, and yell wish curls, and pleasant smile, but not quite so handsome about the mouth and chin, and not so proud-looking in the way she holds her head."

The sick girl began to move about restlessly, and to repeat her one cry of—"Oh, my father, pity your child!"

"That's the way she goes on," said Mrs. Wyman; "she's so troubled about some things she had to say in court that offended her father."

"Perhaps our voices disturb her," said the stranger, withdrawing from the room. "Here is a purse I wish you to use for her; and let her have whatever she may need, or can be procured for her comfort."

"But, sir, we do not wish for help in providing for this child. We intend to take her for our own if ever the need should come." Mrs. Wyman spoke tremulously, and with a half-offended manner.

"I know it; at least, I heard your husband say as much. But sometimes money is a great power, and Miss Newcome may need it. I give it to her, not you!"

"Mr. Wyman said, sir, that you said you might have something to tell her for her advantage. Will you come again, sir, or will you trust us to tell her for you, when she is better?"

"It is nothing I can impart to any one at present. Say nothing about it to her. I can wait, and she must wait."

The stranger then took leave of the constable's wife, and of the constable himself, whom he found outside the door, and returned to his quarters at the log-tavern.

Here a crowd had been gathered in the last hour, who magnanimously voted themselves "the people" of the territory, and were unanimous in declaring that so vile a wretch as the murderer of Dr. Edwards ought not to be left to the uncertain execution of territorial justice. Doubtless he would find some means of escaping from the sheriff's house, though he was ironed. Irons could be taken off without much trouble in several ways; especially where a man was confined in a room accessible to all who chose to go and see him, as Newcome was. It was trifling with the public safety to run the risk of letting such desperadoes escape. The man had shown a brutal na-

ture by his treatment of his daughter at the examination; it was plain enough that he would have killed her if he could; and perhaps that would be the very thing he would attempt if he should ever get his liberty.

These and similar arguments were being made for the propriety of executing lynch law. The more the men talked about it, the more excited they became, until they worked themselves into a fury; and oaths and scowling brows attested the ferocious spirit they had evoked among themselves. In vain the more peaceable citizens endeavored to persuade them or to shame them out of so unjustifiable a course. The excitement spread like a prairie-fire, until the mob greatly outnumbered the peacemakers, and had actually started, in spite of all remonstrances, toward the sheriff's house.

There they were resolutely met by the sheriff, constable, and others, who warned them off, and declared their intention to defend the prisoner with their lives. But the strength and artifice of the lynchers soon overcame their defense. The house was forcibly entered, and the prisoner brought out, unmanacled, to be taken to execution.

A guard was formed in a hollow square, in the center of which the unfortunate man was obliged to march. His face was somewhat haggard, pale and sullen, but he showed no signs of fear or shrinking from the terrible fate before him. In answer to the jeers and execrations of the crowd, he only gave them defiant looks, but not one word of reply or of entreaty.

They had already arrived at the spot—a hollow between the bluffs—where the tree and the rope awaited him, and amid a sudden awful silence, were about to place the halter about his neck, when Allen, who had just been informed of the proceeding in time to interrupt it at the last moment, rushed hastily into the ring which had been formed about the gallows.

So unexpectedly did he appear, and so authoritative were the tones of his voice, as he raised it in vehement deprecation of their conduct, that it had the effect to check further action, and compel the attention of the crowd.

“Men of Fairview, listen to me! *For aught you know to the contrary*, the death you propose to execute on an unsentenced man may be a murder more cruel, and more willful and determined a great deal, than that which you seek to avenge. It is true that a man—a dear friend he was of mine too—has met his death in a manner which throws suspicion of the darkest nature upon Thomas Newcome, [suppressed murmurings,] and renders it our duty to hold him accused until he is proven innocent. On the contrary, the law bids us hold every man innocent until he is proven guilty. In respect to the law, Thomas Newcome is still an innocent man; for he has only had a hasty examination, under exciting circumstances, and surrounded by minds so inflamed by passion as not to be able to judge in an unprejudiced manner of the real merits of the evidence pro-

duced against him. [Cries of, 'That's cool talk for you.' Well, my friends, every man should be cool when he has the responsibility of life and death on his hands.]

"It is very true that I have acted in this matter against Newcome; because, as well as I could see, it was my duty to do so. I had him arrested, and I gave testimony against him, which, as circumstantial evidence, was very strong to convict him. It is true, too, that his daughter testified that he had threatened to shoot both Dr. Edwards and myself, [signs of rising wrath.]

"He had the same reasons for bearing malice toward me, that he had toward my friend. But, only one of us was shot; and the prisoner was prepared with no other weapons, and no more ammunition. I told you in my testimony that there were *two* shots fired almost at the same instant; therefore there must have been two persons in the woods, and that other person, whoever he was, *might* have fired the shot that killed Dr. Edwards. I do not know that he *did*; you do not know that he *did not*. Let this matter then, be investigated. Find out who that man was that was in the woods with Newcome, and what his business was, and, if possible, find out whether he did not, accidentally or otherwise, commit the murder.

"As for Newcome's threats, a great many men threaten who never do anything worse, and that is the very character his daughter gave him. You pretend to be very sorry for her, and very indignant at her father's treatment of her. But you propose to break her heart entirely by putting it out of his power ever to be reconciled to her; while it is plain she loves him as a daughter should love her father. If you have any regard for law, order, justice or mercy, you will conduct the prisoner in safety back to the sheriff's house, and there leave him under the proper legal restraint until he is convicted. Guard him as carefully as you choose—make sure that he does not escape; but wait for his trial before you hang him. In the mean time, Providence may show you that you have yourselves this day narrowly escaped becoming murderers."

At the close of this address, so earnestly delivered, not a man offered to raise his hand against the prisoner, who stood with burning eyes steadfastly fixed upon the speaker. After a moment's irresolution, the crowd showed signs of a disposition to escape, unseen, individually; and, finally, a chosen guard conducted the prisoner once more to the house of the sheriff.

Allen did not escape without some comments upon his address—some friendly, and a few otherwise. Among the most interested of the listeners was the stranger from the hotel, who not only gave profound attention to every word, but seemed to study attentively the countenance and bearing of the speaker.

"You met with most flattering success in your maiden speech, Squire," remarked Ed, with a peculiar searching look.

"It will be better than I hope, if they continue to take my advice," returned Allen, meeting his eye unflinchingly.

"You seemed anxious to shift Newcome's crime to other shoulders."

"I shall always be anxious to have justice done, I think, Ed."

"Perhaps you could yourself direct these people to some new object of suspicion, if old Newcome could only be spared. You take a great interest, apparently, in a man who, according to your belief, is the murderer of your friend."

"How do you know I believe that?" asked Allen sharply and quickly.

"Because I heard you tell Flag so."

"*I thought you were dreaming!*" said Allen.

Ed gave a short, strange laugh; but his eye fell, and he soon turned into a path by himself, "to meet an engagement," he said.

The next morning Ed announced that he had business out in the western part of the adjoining county; and Squire and Flag were left to their lonely housekeeping, and to long, sad talks about their late friend's tragic fate, and the doubt that seemed to hang about the identity of the real and the suspected murderer.

If ever in these frequent conversations the memory of the apparition they had seen haunted their thoughts, and troubled their better judgment, they endeavored to dismiss it as unworthy their cooler mood. And yet, in spite of reason, it led them to make a closer investigation of facts than otherwise would have appeared necessary, and started a question in their minds concerning a certain other person, which prudence obliged them to keep concealed in their own bosoms, until some further and more tangible evidence of its truth should transpire.

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## CHAPTER VII.

### THE OLD-TIME WEDDING ANNIVERSARY.

"WELL, I declare, you look quite like yourself this morning, all but your hair?" exclaimed Mrs. Wyman, when she had carefully dressed her young charge, and placed her in the great, high-backed rocker, in the little parlor of the constable's house.

"Oh, yes! and I feel quite like myself, too. There, thank you! don't worry over me any longer, for I am just as comfortable as possible. What a beautiful day! I don't think the world ever looked so lovely as it does this morning, Mrs. Wyman."

"That's because you've been shut up in your room so long, dear. But it is a-most always pleasant in June. I was married in June, right in the rose season; for I told Silas I wanted to keep the anniversary of our wedding, and that was sure to be a nice time to have

■ little celebration every summer. And this is our wedding-day ! ” said the constable’s wife, smiling dreamily as she forgot to take the chair she had placed for herself.

“ And are you going to have a celebration to-day ? ” asked Alicia. “ I wish I were strong enough to do something for you.”

“ If you only look pretty, and have a good appetite, that’s all the help I want. We’re not going to do as we used to—have a large company—’cause things are changed with us. Our only son is dead, and our only daughter is married away off from us; besides, when we lost all our property by fire and had bad luck every way, we give up our old ways partly. I am a-going to have a nice little dinner by ourselves, and Silas has invited some friends of his, I believe, to help us eat it. So don’t get too tired, now for then you won’t enjoy it; and I want you to be as brisk as you can. Dear me ! I believe I smell my cake a-burning.”

“ I hope your cake is not burned,” said Alicia, looking up as the good woman returned to the parlor with her hands full —a package in one—a bouquet of flowers in the other.

“ No indeed, it has got a nice bake. But look at these presents ! One would think it was the anniversary of your wedding instead of mine. Mr. Mauvais has sent you this bottle—it is labeled *French Cordial*—and Mr. Allen has sent you the flowers. There was a long rigmarole of compliments with the bottle; but the flowers were left by a boy who only said that Mr. Allen sent them to Miss Newcome.”

Alicia blushed a little with the pleased excitement a young girl always feels at the first marked attentions she receives from gentlemen. She read the French label first, and admired the rich golden color of the wine; but the flowers she kept for some time in her hands, smelling at them, and in doing so, softly pressing them to her lips and cheeks. Mrs. Wyman offered to put them in water for her, when she reluctantly parted with them, only keeping a bunch of the crimson buds of the prairie-rose to fasten in the bosom of her white wrapper.

“ I’ll put these by your plate at dinner,” said Mrs. Wyman, smiling at the eager eyes which followed the flowers; “ they will make the table look so nice. And the cordial too, to give you an appetite.”

“ Dear Mrs. Wyman,” began Alicia, nervously, “ I know my father would not like to have me accept presents from Mr. Mauvais, I please tell me what to do about it.”

“ Why, your father doesn’t think ! —” here the good woman interrupted herself. There can be no harm in even Mr. Mauvais, sending a bottle of cordial out of his cellar to a sick child like you, dear. I know what some ill-disposed people might say about him; but there is a great many allowances to be made for a man that has spent his life among the Indians; and Mauvais is a generous-hearted man to his friends. He’s been very kind to my husband.”

"I would like to send it to my father, if I thought he would accept it," said Alicia, mournfully.

"I don't think he would, dear child; though husband was saying this morning that he seems a heap milder than he did at first. I reckon what Allen said to the lynchers made him feel easier; and I hear that he has been to see your father a couple of times."

"He has been so kind! I wish I could see him, and thank him, Mrs. Wyman."

"I guess you can," replied the kind woman, with a beaming smile, "for he is coming here to dinner. Well, I'll just put something under the rockers, to hold your chair back, so you can rest; and then I must go and see about my baked meats and pudding."

Left to herself, Alicia passed the hour in a dream between hope and fear, balancing in her mind the pros and cons of her father's case as she knew them, and trying to find some hitherto overlooked ground of confidence. It had got to be an old employment—one which had occupied her thoughts ever since her head had been clear enough to think at all—and was to-day pretty much the same that it had been yesterday, or any day before. This constant anxious thought had lent a touching expression of melancholy to her wan and delicate countenance, as well as a sober grace to her manners, beyond her years. But the fresh, childlike heart was nowise different to what it had been; only if possible more dependent, and more hungry for sympathy than ever before.

She had been a long time lying back in her chair, silent, except to answer Mrs. Wyman's inquiries concerning how she felt, as the kind woman bustled in and out on the important business of her dinner. A slight feeling of weariness was beginning to act as a depressant upon the brighter hopes of the morning, and an occasional tear moistened the drooping lashes of her half-closed eyes. In the midst of this despondency, a sudden impulse of gratitude swelled her heart toward one who had been so unfailingly kind to her under all circumstances, and seizing the bouquet which Allen had that morning sent her, she kissed the flowers, over and over.

"Oh, I love you so much!—so much!" she murmured, passionately.

She did not observe that any one had entered at the open door, nor know why such a glorious light shone in Allen's eyes, as he a moment later greeted her with a courteous good-morning, and asked in the gentlest manner after her health. Like a nervous little invalid as she was, she went from smiles to tears, and tears to smiles in the most capricious manner without being able to make any rational reply to his inquiry.

Although Allen had neither age nor experience to guide him in this matter, he very easily guessed that the fluttering heart must be coaxed to relieve itself; and seating himself beside her, he took the slender hands between his own, while he uttered cheerful, caressing words, as he would to a petted sister. Young as he was he could

not help assuming a certain superiority, such as the exigencies of the case seemed to demand.

"And so my little girl loves the flowers I sent her?" he asked, playfully.

She blushed and trembled so much before she answered, that Allen felt compelled to kiss the little hands to reassure her.

"Oh, Mr. Allen, I love *you*! You have been so kind to me always, from the first, that I cannot help loving you, very much—as much as if you were my brother!"

This declaration was so unexpected, and so entirely unique every way, that the young man felt something of the bashfulness experienced by young ladies under similar circumstances, mingled with surprise, exultation, and a man's sense of the impropriety of it. But, this latter feeling quite vanished when he had time to read the expression of the pure, artless face, regarding him so earnestly.

"I am so glad you do so," he replied, with some emotion; "for I, too, love you very dearly—better than a sister!"

That he had said "better than a sister," did not convey any special meaning to her ears. She was relieved and satisfied, and when he kissed her hands again more warmly than before, she only smiled, and gazed in his face confidingly as a child.

"Have you any good news about my father?" she ventured to ask.

"No news. But I have a word of comfort for your private ear. You must not mention it to any one whomsoever. I am quite certain your father will be cleared; and I have my eye on a man who may be the guilty man. That is all I can tell you: but you can put your faith in it:—I don't think you will be disappointed."

Alicia had no words for her thanks. The ready tears ran over her cheeks, as she seized his hands and showered kisses upon them.

"There, little girl," said he, "you need not be so grateful to me; it is Providence has done it."

"At all events," she returned, "you are God's messenger to me."

"Why, good-morning, Mr. Allen, I didn't know you had come in. Don't you think our young lady is getting along first-rate! Just excuse me; I'll be back again in a minute;" and Mrs. Wyman disappeared as soon as she had appeared.

The good woman wanted to give Allen a chance to move a little further away from Alicia, without any hurry or embarrassment—an opportunity he availed himself of, however, with some reluctance. But, wherever he moved or whatever he did, Alicia's eyes followed him constantly, with a pleased admiring expression, very flattering to the natural vanity of a young man.

"Your "young lady," Mrs. Wyman, has been making a great lion of me," he said to the constable's wife on her reappearance; "she thinks I am a very wonderful fellow, and has made me quite vain of myself."

"I guess it won't do any hurt for her to think well of you, Mr. Allen. Some folks ain't easily spoiled."

"Thank you. If flattery gives a man a good appetite for his dinner, I shall be able to do justice to yours, Mrs. Wyman."

"Well, I'm glad your appetite is ready, for the dinner is; but Mr. Wyman hasn't come. He shouldn't have been late, to-day."

"No, a man shouldn't be late on his wedding-day," cried the constable, coming in quietly, and saluting his wife on one cheek. "I reckon I wasn't late twenty-seven years ago this blessed Thursday—was I, wife?"

"If you had been," returned Mrs. Wyman, "my name would not have been Mary Wyman."

With a very soft "Hullo there!" the constable greeted his invalid guest, by way of welcoming her to the parlor. Then he shook hands with Allen, and afterward with her.

"She looks right smart, now, considerin', don't she, Allen? Only her hair is rather a short crop. She looks as if she'd been in the hands of the thief-whippers. There was three of them fellers catched up at Elktown yesterday, that got a whipping and their heads shaved; an' was told that if ever they was found in the territory again, a whipping wouldn't serve 'em next time."

"I wonder where the rascals hide," said Allen. "I should think a prairie-country a poor place for horse-thieves."

"Oh, they find shelter in ravines, and among the bluffs; and then if they git a start with horses they can travel faster than in a wooded country; and once they git to the river they're soon over in Iowa. There's a man owns a mill, down the river a piece, had a splendid pair of horses tuk last week. He was in want of hands, an' hired a respectable lookin' feller, that come around wantin' work. After the feller had stayed about a week, he got tired of work an' left; an' that night, both the horses was stole from the stable. That feller got off, an' sold the horses in east Iowa. He'll be comin' back one of these days, an' mebbe not have such good luck next time."

"Never mind about horse-theives, Silas. Dinner is on the table and I'm afraid it is spoiled, it has waited so long already."

"Waal, Mary, we'er comin'; and if the dinner isn't spoiled we'll just spoil it for you in short order. Allen, you may wait on the little girl here. I'm gittin' so old I'm not perlite enough for waitin' on pretty girls any more."

The "little girl," seemed well pleased to be helped out to dinner on Allen's arm; nor did her escort seem at all reluctant. The flowers and the cordial indicated her place at the table, while Allen was assigned one opposite.

"Mr. Mauvais sent Alicia some wine this morning," said Mrs. Wyman to her husband in explanation of the "bottle"—a piece of furniture which was not common on their table.

A certain sort of consciousness made the young girl look at Allen to see how he took the announcement. He was looking straight at

her, with an expression which she did not understand, but which chilled and pained her. She was so sure that his opinion must be correct about every thing, that her heart immediately sunk with a sense of having done something very wrong. Her eyes drooped, and her fine spirits quite fled away. Seeing her so downcast, Mrs. Wyman supposed that she was thinking of her father's probable displeasure, and proceeded to mention it, as the best way of setting her at ease.

"She don't like to accept it, she says, because her father wouldn't be pleased if he knew of her doing so; but I tell her there's nothing wrong about getting some cordial sent her when she's sick."

"Pshaw!" said the constable, "not a bit. Keep it and drink our health in it, little girl."

"Let me open it for you," Allen said, reaching across for the bottle. As he took it from her hand he smiled in a way that showed her she was restored to his good opinion. From this episode the dinner went off gayly, the healths of each being drank in Mr. Mauvais' cordial, the last drop having disappeared before they left the table.

"Your little girl, here, has been so kind as to give me a brother's place in her heart," said Allen, mischievously, to the constable, as he reseated the invalid in her rocking-chair by the parlor window, "and I have presumed upon the favor to use a brother's privilege. I have been thinking that when Miss Newcome gets well, as she will very shortly, she would like something to do better than to "look pretty and eat well," which she says is all that Mrs. Wyman requires of her at present. There are a few children here in Fairview; enough for quite a respectable school, and I propose to have them put under Miss Newcome's instruction. I calculate you can teach school, if you came from old Connecticut?" he added, turning to the surprised Alicia, and mimicking the nasal twang of real Yankeedom.

Alicia laughed, but did not express any opinion on the subject.

"I reckon she could," said the constable, "but she needn't. There's enough here for all of us. Just let her stay with us and keep my wife company; she's most too young to be a doin' any thing for herself."

"What's that you're saying in there?" asked Mrs. Wyman, stopping in her "clearing up" to look in at the parlor door.

"Why Allen, here, is wantin' to make a school-marm of the little girl. What do you say to that, Mary?"

"Say to that? I say it's all nonsense, and I don't see what put it in your head to think of such a thing, Mr. Allen!"

"If you please, I should like it very much," put in Alicia eagerly, though with evident trepidation.

"It wouldn't take her away from you at all, Mrs. Wyman, except during school hours. I would not propose to have her leave your protection at present, on any account. The Judge's wife first mentioned the matter to me, and I have since spoken to nearly all the

owners of children in the town, and they will be very glad to have a school. Of course it will not make Miss Newcome rich; but may furnish her with money enough to buy her dolls' clothes—young ladies dress dolls until they are married, I believe, Miss Alicia?"

Alicia smiled at her roguish "brother" in a satisfied way, that showed she was not put out by his raillery.

"Waal, I dunno; she must do as she likes, I reckon, Mary. It might take up ~~her~~ mind, and be a good thing, after all."

"Oh, yes, if she wants to, she might try it when she gets strong," and Mrs. Wyman brushed some imaginary dust or crumbs out of her apron with much energy. "But, there's no need—none at all. She's got money of her own—plenty of it just now; and I guess there's more where this come from."

"Oh! dear Mrs. Wyman! I have no money. You are quite mistaken," cried Alicia, surprised.

"I'm not mistaken, child. You don't know as well as I do. He told me not to say any thing about it; but he's gone off now, and I don't know as he's ever coming back. I didn't tell anybody, not even Silas before. But I hate secrets, and can't keep them one bit better than the rest of my sex. A secret always makes me feel mean till it's off my mind; so I'm going to get this off, as soon as possible. There was a man here—a real gentleman—when you was sick, and out of your head, that had a great many questions to ask husband and me about you. Then he wanted to see you with his own eyes; and when I took him into your room—'twas just after your hair was cut off—he looked at you mighty sharp, but said nothing, only to touch your curls a-layin' on the table very softly with the tips of his fingers.

"After that he showed me a picture—the handsomest thing I ever saw—and asked me if you looked like that when you was well. I told him you did, and you didn't; that is, the picture was much the same as you in most of the features, but handsomer and prouder a great deal. When he went away he wouldn't tell me his business but gave me a purse full of gold, which he said was to buy things for you while you was sick. I told him I didn't want help about providing for you; but he just the same as said I had no right to refuse what he gave to you; and so I took it, but I havn't touched it since. I'll run and get it now," she said, leaving the room.

When Mrs. Wyman returned she poured a heap of shining gold pieces into Alicia's lap, while she regarded the girl's surprise with real delight.

"It is not mine, though," she said, after gazing on it in silence for a moment. I do not know any one who is likely to be able to give me so much money, and there must be some mistake."

"Let me look at it," said Allen; "I am a lawyer, and it's part of our business to solve mysteries like these. It is British gold, and there is a cypher worked on the purse, underneath a coronet; all of which indicates that the purse and its contents came from some

person of rank and consequence. How do we know but our little girl is a princess in disguise? It is not the first time the thought has been suggested to my mind. And this stranger, no doubt, had the slipper which fitted our Cinderilla!"

"It's very cur'us, anyway. But what makes you so pale, child? I guess you're clean tired out," said the constable, sympathizingly.

"Oh, no; I am not very tired. When can I begin my school, Mr. Allen?" asked Alicia, hurriedly, as if to avoid further questions.

"When you are quite well and strong. Don't let her begin too soon, Mrs. Wyman. And so you will not use this money? you prefer school-teaching?"

"Yes, if I prove capable."

"But, don't you feel at all curious about this other matter? Don't you feel a presentiment of some remarkable good fortune?"

"No," answered Alicia, laughing, though embarrassed.

"But I do; that is, I think there must be something in the mysterious conduct of the stranger which has a deeper meaning than simple benevolence. Haven't you any rich relatives that you know of? Pardon me the question. I only ask it with a view of finding out the real meaning of this gift."

"None that acknowledge us," answered the young girl, blushing.

"Then you *had* some who did not acknowledge you—is that what you mean?"

"My mother had; but please, Mr. Allen, do not ask me any more about it," she said, putting out one hand beseechingly, which Allen did not fail to take, notwithstanding the "old folks'" presence.

"No, certainly; I do not wish to be inquisitive, if my questions pain you. Well, then, I shall see about a school house right away, I suppose;" and the young man rose to go.

"Yes, if you please; but how shall I ever repay your kindness, Mr. Allen?" asked Alicia, half in sadness, at the improbability of ever being able to repay him at all.

"I'll take it out in tuition," laughed Allen. "My education was sadly neglected in my childhood. Good-by, little sister; if Mrs. Wyman does not object, I shall be coming to see you quite often."

Being assured that he would always be welcome, by the mistress of the house, the young man took his leave, in company with the constable.

"I declare," said Mrs. Wyman, with emphasis, "it does me good to see such an open-hearted young man now-a-days. He reminds me of my son that was lost."

What higher compliment could a mother pay to a young man, than to say he resembled her lost idol?

## CHAPTER VIII.

## A CRISIS IN LOVE'S CALENDAR.

THE trading-post was about a mile below Fairview—its grounds bordering on the lower side of the Newcome claim—and occupied one of the most picturesque situations on the river, where the limestone cropped out at the foot of perpendicular bluffs, and extended in a bed to the river, thus giving security to the loamy soil against the frequent floods which make such frightful encroachments on the bottom-lands everywhere along the Missouri. The steep face of the bluff being covered with short, thick shrubbery, and festooned with wild vines, for a clear height of a hundred and fifty feet, formed a wall of living green, against which the cluster of white houses, belonging to the post, looked, from the river, like a bunch of spring snowballs.

This limestone ledge, though narrow, was not straight, but curved in and out, where ravines divided the wall of bluff by sharp clefts from top to bottom, or the wall itself bulged out toward the river, making, by its windings, a great variety of river views. Here was always a kind of seclusion, very soothing to the feelings, as well as charming to the eye—a place where the great busy world could get no foothold, and only showed itself in occasional glimpses of some crowded steamer on its way to the landings above. Here the ripple of the mighty current was always heard, murmuring like the wind through the tops of forest-trees. Nor was the quiet beauty of the place at all disturbed at this time by the coming and going of the Indian tribes who formerly traded there; these being removed to their "reserves" by the Government. Only occasionally a blanket-ed chief, or short-kilted squaw was seen stalking along the half-overgrown paths in the direction of the post. All about the place itself was now as quiet as any country farm-house—there being only the trader, his agent, and a few domesticated Indians or half-breeds residing here.

The building occupied by the trader was a long, two-story block-house, sided over and painted white, and had the wide, covered piazza and balcony, generally common to houses, in Southern latitudes, and always characteristic of French settlements in this country.

On the balcony of the second story sat the trader himself, smoking a cigar, and gazing at the river shining in the fore-noon sun.

light. Seeing a young half-breed boy in the yard below, he called out to him :

“ Henri ! come here, you scamp ! ”

“ Yes, sir; I’m come,” answered the boy, whose dreamy eyes and indolent air showed his mixed French and Indian blood; and he stood beside his master’s arm-chair.

“ Did you take those berries and that wine to the young lady, as I told you ? ”

“ Yes, sir;” without moving a muscle.

“ What did she say ? ”

“ She said, ‘ Thank you; they are very nice; ’ ” as motionless as before.

“ Did you tell her I would be around there with my carriage at ten o’clock ? ”

“ Yes, sir;” without having stirred a hair’s breadth

“ What did she say to that ? ”

“ She said, ‘ Thank you; that would be very nice, too; ’ ” with a slight movement.

“ Did she ? Is that what the young lady said ? Tell the truth, you rascal ! ”

“ I couldn’t tell the truth, ‘cause I didn’t hear her; an’ it was the old lady as I did hear; ” this time on the alert.

“ Ugh ! *le diable !* ”

The boy was too quick for his master, and succeeded in tumbling down stairs to get out of the way of the horsewhip, just in time to encounter Ka-shaw, the Indian mistress of the house.

“ What’s the row about now ? ” she asked, in good English.

“ Nothing, ” answered the boy, trying to get past her.

“ Do rows happen about nothing, Henri ? Tell me all, ” she said, sternly. The boy understood too well the sovereign will governing all in that house, even the master himself, to dare to deny her; and so he stammered out :

“ Mauvais sent a message to a lady, an’ I didn’t do the errand right. ”

“ Was it that Newcome girl ? ” she asked, her eyes glittering with rage.

Henri winced under the sense of “ getting himself into trouble ” more than of guilt or treachery, as he confessed that it was she. Nor was that all; for Ka-shaw would have every particular of the message, presents and all.

“ And those very berries I gathered this morning ! ” she exclaimed, fiercely. “ I wonder if he thinks I will gather berries for him to court white ladies with ! ”

At this moment the master’s voice was heard calling—“ Henri ! Henri ! ” in answer to which the boy crept cautiously up the stairs again, keeping a sharp look-out for the lash of the horsewhip. But the lash did not descend, though it was held aloft in a threatening manner; and the trader’s eyes twinkled with merriment, notwithstanding his brows were gathered in a strange frown.

"Will you ever lie to me again, you Indian rascal? You should be a Pawnee; they lie, and steal too. You are a Pawnee, you dog you!"

The boy's eyes flashed. "I Omaha, Mauvais," he said, sullenly

"Do Omahas lie? Ah, you have nothing to say for yourself. Now go and tell Jose to put the horse to, in double quick. The blacks, Henri; and tell Jose to see that they are looking nice, or I'll thrash you both."

The boy went very willingly, and the trader resumed his cigar for a moment, then rose, and went into a chamber off from the balcony. Ka-shaw was there before him.

"Where's my best coat, Ka-shaw?"

"What you want of your best coat, Mauvais? Going down the river to-day?"

"I'm going to call on some friends, Ka-shaw, and I'm in a hurry. Where have you hid the thing, you witch?"

"Mauvais can't have his coat," said the Indian woman, quietly.

"What's the cause of this fol-der-ol?" asked Mauvais angrily.

"You can go to see that Newcome girl in your old clothes," returned the squaw, with a malicious smile, which did not disguise her lively anger.

"Are you jealous again, Ka-shaw?" asked the trader, becoming instantly more cool, and sitting down on the side of the bed. "Have not I been faithful to you and your tribe for fifteen years? and do not I allow you every privilege consistent with your duty? Why, you give away to your people every year what would be a handsome income if laid up; and you have for yourself every thing you wish. What more do you expect?"

"That you should be true to your Indian wife, Mauvais."

"Well, well; time enough to fret, Ka-shaw, when you have reason for it. But you must not dictate to me too much, for, though I am the friend of your tribe, I have friends among my own people too. Give me my coat!"

"If Mauvais wants his coat he can find it," answered the woman, sneeringly, and never stirring from the place where she had stood by the hearth.

The trader arose and opened a clothes-press at one side of the fireplace. There he found the wished-for article, but cut, mangled, utterly ruined.

"What is the meaning of this?" he cried, in surprise and rage.

The squaw made no reply, but glared at him in silent malice.

"You old hag!" exclaimed Mauvais, quite beside himself with wrath. "I'll turn you out of this house this very day!"

Ka-shaw, who was burning with an Indian's desire of revenge, lost all self-possession at this threat, and, quickly brandishing a knife aloft, she sprung at the trader with the agility of a wild-cat. He caught her upraised arm in both hands, and struggled to deprive her of the knife; but she threw her heavy weight upon him, and

forced him back upon the bed at such disadvantage that he would have been compelled to relinquish his hold of her arm in another moment. At this juncture, fortunately, the trader's agent made his appearance, having just returned from the Reserve. Seeing that she was baffled for this time, the woman begged to be allowed to retire, with a somewhat humbled demeanor. Mauvais dismissed her from the room with an oath, and a warning as to her future conduct, at the same time intimating that she need not go away if she would behave herself more discreetly hereafter.

"He'll see! he'll see!" muttered the squaw, when the door was closed between them. "Ka-shaw no Pawnee, no Otoe, to bear insult!"

"There was no sign of the late unpleasant encounter in the gallant Frenchman's manner as he handed the trembling convalescent into his stylish open carriage, half an hour afterward. Trembling she was not so much through weakness as from nervous agitation, arising from the consciousness of doing something that might displease the two people on earth she cared most about pleasing. But Mrs. Wyman, on whom she relied now for protection and advice, had said there could be nothing wrong about it. Mr. Mauvais was an old man, almost, and she was a young girl, and an invalid. Besides, other ladies rode out with him, and some thought it quite a "feather in their caps" to receive a courtesy from the rich and polite Frenchman. She would soon be well again, and engaged in her school, when, if she did not wish to receive his attentions, she could get rid of them more readily by pleading duties.

Thus reassured, Alicia felt her reluctance the sooner dissipated by fresh air, the lively motion, the beautiful weather, and the graceful compliments of her companion. They drove through the village, past the house where her father was confined, paid a flying call upon the Judge's wife, nodded to Allen standing in his office door—for Allen had but a shingle out in Fairview—and dashed out into the open country.

"The fresh air brings the roses of your cheeks into bloom, Miss Newcome."

Alicia smiled the pleased and artless smile with which she always listened to any complimentary remarks, but made no reply, for she was not a young lady even of ordinary loquacity in the presence of strangers.

"It would be a pity to fade them in the school-room," continued Mr. Mauvais.

"I don't think my duties will be very trying," answered Alicia, pleasantly.

"You are young enough to be a pupil instead of teacher, my dear young lady."

"Oh, yes, and ignorant enough, that is true," she answered, with a little sigh.

"Oh, no; no, indeed! not ignorant for your age. On the contr-

ry, you are so very remarkably intelligent and refined for—for a young person like yourself, that you captivate us all. But I was thinking how much better it would be for you to go to school in some city for a year or two more, instead of drudging at school-teaching in the country. Would you not like it?"

"If it were possible," said Alicia, "I should like it very much."

"What if I should make it possible for you?" asked Mr. Mauvais, eagerly watching her expression.

"You, Mr. Mauvais?" she exclaimed, blushing with surprise.

"Certainly," he replied. "There is no reason why I should not please myself by being an aid to a charming little girl, if I choose; that is, if she consents."

"I do not know about it, Mr. Mauvais; I can not decide such a question for myself; at least, not without consulting my friends. But I do not think my father would like to incur such an obligation."

"You still consult your father, then, though he is so unforgiving?" he asked, gazing at her admiringly. "But supposing that I get him to consent to allow me a sort of guardianship over you, what other friends would you wish to consult?"

"I should like to ask Mrs. Wyman's opinion; and Mr. Allen's too," she added, hesitatingly.

"It is my turn to be surprised, Miss Newcome. I did not know that young ladies were bound to ask the opinions of young gentlemen of twenty-three or four on affairs of this sort. Is Mr. Allen's judgment, then, so much more mature than mine?"

The half-bantering, half-reproving tone assumed by her companion quite put the young girl out of countenance.

"He has been so kind to me," was all she could say.

"I would like to be kind to you, too, if you would allow me," said Mr. Mauvais, half reproachfully, yet smiling very benevolently, at the same time.

"Oh, you *have been*—you are. Everybody is a great deal kinder to me than I deserve," she carelessly answered.

"Not a bit, little rose of the prairie. Could any one help wishing to tend a beautiful flower, or to have it for his own if he could? Mr. Allen is a promising young man, as young men go. But he is not old enough, nor wise enough, nor rich enough, to have the care of a beautiful young woman like yourself."

"And you are?" said Alicia, archly.

"Yes, I think I am. But since you are not sure of it in your own judgment, I must go to your father about it. What would you do for me, Miss Alicia, if I should procure your reconciliation to your father?"

"I should be so glad—so grateful!" she cried, with swimming eyes; "and so happy," she added, with a smile.

"Then I think I must do it for you," said Mr. Mauvais, politely raising her small, ungloved hand to his lips.

She did not ask him how he proposed to bring about this change in her father's feelings. She was too confiding to doubt that what those older and more influential than herself promised they could perform. She only thought that she was very happy to have so many and warm friends, and this pleasant consciousness displayed itself in her animated face.

As they drove back through the town, Alicia noticed Allen standing in the street before his office, and that, on their approach, he went in without turning to look at them. This incident, slight as it was, alarmed her affectionate heart, and quite dampened the pleasure of her ride.

"Adieu, Miss Newcome," said her escort, as he left her at Mrs. Wyman's door "do not commence your school until I have first seen your father;" and, with a graceful flourish of his hand, the Frenchman was gone, flying over the road at a "two-forty" rate.

That evening Alicia received a call from her "brother," who had come to see how soon she would be able to begin her duties as teacher, and in reply she had frankly related to him all that the trader had said to her.

"And will you avail yourself of this man's generosity?" asked Allen.

"I do not think my father will consent," she answered, evasively.

"If your father's consent is all that is wanting, you may become the ward of this Indian trader!"

Allen spoke disdainfully, almost resentfully, too; and the tears, always so ready to her eyes, began dropping down her cheeks.

"I should like your consent besides," she said, timidly.

"And what if I would not give it?"

"Then I should not wish to go," she answered, in a broken voice.

"There little sister! how foolish of you to cry," said Allen, as he took her hand and raised her from her chair. "The moon is shining brightly, there is a breeze and no dew—run and ask Mrs. Wyman if you may not take a walk with me down by the river-bank."

The needful consent was obtained, accompanied by injunctions not to be gone long, and to keep well wrapped up.

Alicia felt very happy as she walked beside the tall and strong young man, her arm drawn through his, and one hand snugly stowed away in his broader palm.

"And so you will not let this Frenchman send you to school unless I give my consent to the arrangement?" he asked, with a little triumph in his voice.

"I should be very unhappy if I thought you did not like it," she answered.

"Why should you be unhappy to displease only me if your other friends approved? Am I of so much consequence in your esteem that you prefer my approbation to theirs? That is a very high compliment indeed."

"I am sure you deserve it, if it is. You were my first friend, and I believe my best friend, and so you became my dearest friend; and though I know I am not worthy, I am proud when you call me 'little sister.'"

"But I don't intend to call you 'little sister' any more. I have thought of another name I would prefer to call you by. Let us sit down here on this fallen tree and listen to the murmur of the river, and talk about the new name."

It was charming, the young girl thought, to sit there in the moonlight, hearing the river, and leaning on the strong arm that was now around her waist; it was so charming that she forgot to be curious about the meaning of "little sister" being rejected, until she was reminded of it by finding her head drawn down against the manly breast, and beholding a pair of luminous eyes gazing into her own.

"No, dearest of dear little girls, I don't want to be your brother any more; because I foresee that as a brother I shall not have power to keep at a distance those who would be wishing to assume a nearer relationship. Suppose this French trader should want to marry you, Alicia, after sending you to school for a year or two—would you like that?"

"Oh, Mr. Allen, how could you imagine any thing so—so shocking!" exclaimed Alicia, struggling to free herself from his arms.

"That is just what I think about it," said Allen, laughing softly, and holding her closely. "It would be a shocking thing for a pure young girl like you to be united to this man; whom, on account of his good qualities, I refrain from calling hard names. But I am quite sure he contemplates such a possibility. And I have my reasons for believing that your father will consent to give you up to him."

"But my father warned me against him only the night before—his misfortune. I know he does not think well of Mr. Mauvais; and how then could he give me up to him?"

"Your father is differently circumstanced now; and may think it is the best thing he can do for you, bad as it is. Mauvais is rich, and riches are all-powerful in this as in every other country. He promised you to bring about a reconciliation with your father; and he evidently has no power to do so more than another, unless he should come to some such arrangement with him as I have spoken of."

The words "differently circumstanced" were the ones that struck Alicia's ear in this answer, and awakened her fears. She was thinking that Allen talked as if her father would bequeath her to somebody because he had no hopes of regaining his life and liberty; and she tremulously asked him if that was his meaning.

"No," said he, "not as far as *my* belief is concerned. I have good hopes yet, but your father may be doubtful, and may be prevailed upon as I said. And now, dear Alicia, to provide against what neither of us desire, let us talk about the new name. What does the

little girl say to being called *my wife*? Does that sound so shocking?"

He was holding her face to the moonlight, to read his answer in the eloquent eyes; but the silken fringes drooped over them, and she turned her face to the shadow of his breast.

"Speak, darling! I know you are too young—and that you are afraid to take the responsibility of deciding for yourself. Under other circumstances I would not have asked you to do so; but *now* you should have some better protection than such as you will get from chance-friends. I love you very dearly; so much that I should be reluctant to marry you, at your age, for fear you would outgrow your affection for me as you became more experienced in judging of men—did not your peculiar position seem to render it most prudent for us both—that is, provided that you do love me well enough to be my wife. Are you afraid to tell me your thoughts, dear Alicia—dear little wife?"

"Will you not say one word to me?" he whispered, kissing the white brow, and the beautiful silken rings of hair that encircled it, in place of the lost flowing curls. "Am I only your brother then—and will you not be my girl-wife? Will you go away to school, and leave me forever?—tell me, dear," he said, unclasping his arms, and allowing her to free herself.

"Mr. Allen," she said, in a wavering voice, and with pale cheeks looking pallid in the moonlight, "I *dare not* disobey my father; I *must not*."

"Then you do not love me!" broke in Allen, with a voice of passionate regret, and turning upon her a glance of reproach.

"I think I do. Oh, Mr. Allen, I *know* I do!—better than any one in the world. But I can not do anything without my father's knowledge and consent. If he gives me away to Mr. Mauvais, I can not help it, and I must go, if it breaks my heart in doing so."

"And mine too?" added Allen, his former confident manner quite gone. "Do you think your father has a right to sacrifice you, on the verge of your happy womanhood? I can not think so."

"Oh, I do not know. I only know that I will never act in opposition to my father; never—no, never!" she cried, bursting into tears.

"Must I give you up then, my own darling? *Shall I?*" and once more she was clasped to her lover's breast.

"No, oh no, do not give me up yet! I can not do without you; and perhaps," she added, with a sudden smile of hopefulness, "my father may approve."

"And in that case Alicia consents to be my wife at some future day?"

"If then Mr. Allen will have me, yes," she whispered, so close to his mouth that his lips met hers at the last word.

In that breathless silence, so eloquent of happiness, which ever succeeds the lovers' first mutual kiss, sat the young man and maiden

for a few blissful moments; till swift-winged thought, returning to their present situation, aroused them to the recollection of Mrs. Wyman's charge concerning late hours.

"Well, I must take my promised wife back to her guardian—or she will not trust me to take care of her again. I will see your father to-morrow, and get before Mr. Mauvais if I can; so keep up your spirits, dearest—the Frenchman shall not carry you off, if I can prevent it."

The walk homeward was performed by feet all unconscious of motion or distance. Only two enraptured spirits had passed over that space, to part with reluctance at the constable's door.

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## CHAPTER IX.

### THE SACRIFICE.

WHEN Alicia awakened next morning she found Mrs. Wyman standing beside her bed. "You sleep late, this morning," she said. "I guess you exerted yourself almost too much yesterday; but you would have been up bright and early if you had a-dreamed what good news I've got for you."

"Is my father at liberty?" asked the girl, eagerly; and conquering her languor at once, she sat up in bed for the important news.

"No, my dear; I *thought* you would just guess that. But he has sent word that he wishes to see you this morning, and I knew you would be so glad, that I couldn't wait for you to get your nap out. Why, you don't seem half so pleased as I expected you would!"

"Oh yes, dear Mrs. Wyman, I am very glad indeed; and I thank you for waking me. I will be dressed in ten minutes; but don't wait breakfast for me."

"La, child! we had breakfast an hour ago, and Silas has gone up town; but I've got something warm for you, when you're ready for it."

When Alicia came out to breakfast she found a little basket of fresh raspberries beside her plate, labeled "To my charming ward."

"Mr. Mauvais' boy said his master would be here with the carriage at nine o'clock to take you to see your father. But what is the matter with you, child? You don't eat a bit of any thing. Ain't you going to taste these berries?—they look splendid, and were picked this morning. I'm sure."

"Thank you, I do not care for them. I will breakfast on your delicious coffee, which is just to my liking, always."

"Dear me! I do believe my good news has taken away your ap-

petite, and I thought it would be just contrary to that. Isn't there something you can eat, dear?—'cause if there is, you needn't be afraid to mention it. I don't think any thing of the trouble, if you would only relish any thing better."

"Indeed, you spoil me with kindness," said Alicia, trying to smile. "Everybody pets me so much I have got to be quite a baby, and will soon be good for nothing, at this rate."

"Well, it does folks good to have something that they *can* pet; that's my view of the case. There's nothing makes our hearts so dry and hard as not having something to make much of. If Silas wasn't an affectionate sort of a man I should have been dead of pinning for my young ones, I do believe, long ago. But he comforts me up when I get to grieving, and so we two old folks have to pet one another, 'cause we've nothing else we can love. Do have a little more coffee, for you havn't touched any thing substantial."

Alicia declined, however, any attempts to make her take a more ample meal, and set about preparing for her visit to her father. She w's scarcely ready when the trader's handsome blacks trotted up to the door, and that gentleman announced himself at her service. The ride to the sheriff's house was almost a silent one, each party being occupied with thoughts which were not entirely communicable.

When Mr. Mauvais handed the young girl from the carriage, he was struck by her exceeding paleness, and inquired very anxiously if she were ill. Being assured that she felt as well as usual, he left her at the door of her father's apartment, with a profound bow, and the information that he was prepared to await her convenience to escort her back to Mrs. Wyman's.

As the door opened to admit her, the child's heart beat so tumultuously that it was with difficulty she could stand. At one glance her eye took in the bare room, the manacled limbs, the pale, stern face, wasted by inaction of the physical and overaction of the mental powers. With a low, thrilling cry, she sprung forward, and sunk down at his feet. She laid her face upon his knees, and wept upon his hands, using every affectionate and penitent expression to win from him a tender word; but he was as silent and unmoved as on the day of the examination. It seemed as if the sight of his child's face recalled the bitter resentment of that day afresh.

"I have not sent for you," he said, coldly, "to listen to your professions of sorrow. I have other business with you to-day, which concerns your welfare, though you do not deserve that I should consult it. Take a chair, and listen to what I have to say."

"Will you never forgive me?" she asked, passionately. "Oh, father! father! I do not care about my own welfare, if you will not be reconciled to me. I am so sorry; I wish so much to please you; and I will be so obedient to you that you can not help but love me a little."

"Don't talk about obedience," he said, abruptly, "daughter of a disobedient mother! Yet you shall obey me at last, and the time for it has come to-day."

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He paused for a moment, while Alicia seated herself, according to a sign from him, at a little distance away, and endeavoured to restrain her tears.

"The French trader," he resumed, with a sneer at the word, "has taken a fancy to your pretty face. He wishes to adopt you, he says, which means, I suppose, that when he can shake off the Indian women he has about him, he will marry you. In the mean time, you are to be sent out of the way of other and younger admirers, under a pretense of going to school."

Seeing that his daughter sat silent, and showed no signs of surprise, or grief, or resentment, as he believed she must, the cruel father was goaded on by this patient submission to even a greater desire for her humiliation than had at first actuated him.

"You have already begun, I hear, in your mother's ways. Last night you were out in company with the man who caused your father to be arrested as a murderer."

"Don't say any more, father, don't!" cried Alicia, entreatingly. "Mr. Allen is your friend now, and hopes to prove your innocence, he says. He has been kinder to me than a brother, and I can not help liking him very much. But if it displeases you I will not see him again," she murmured, with quivering lips.

"Mr. Mauvais will not give you the opportunity," returned the relentless man.

"Father," said Alicia, approaching him, and sinking on her knees, "if I give up Mr. Allen, and do as you wish with regard to Mr. Mauvais, and am in every way dutiful toward you, as long as I live, will you not forgive me now, and let me see and comfort you while you are in this place? Oh, say 'yes!'"

It was not in the human heart to withstand that perfect submission and loving entreaty altogether. The unnatural father was checked in his cruel impulses for a moment, but only for a moment. The relaxing brow gathered its frown again, and the poor, unhappy pleader saw refusal in his face before he uttered it.

"No. I want nothing more to do with you. I have given you to Mauvais, and it is to him you are to submit your headstrong will. If you desire to obey me, do as he tells you; or, by heaven, I will curse you yet!"

Alicia did not reply. She clasped her hands across her forehead, and bent her face to the floor, like the most abject eastern slave. Her young life seemed crushed out of her, and she felt that the Juggernaut of perpetual despair had already gone over her. She had no fear, no resentment, no hope; all was a dull, dead, motionless desolation. In this attitude she remained for several minutes, while her father uttered no word, and there was no sound in the room except the clank, clank, of the chain on the prisoner's leg, as he moved impatiently from time to time.

The sheriff opened the door and announced that another visitor was waiting on the prisoner's leisure. Without inquiring who the

visitor was, Mr. Newcome ordered him to be admitted, at the same time commanding the prostrate child to rise. Wearily she raised herself to her feet, turning her tear-stained face away from the observation of the new-comer. But he had already caught a glimpse that revealed to him the sorrow imprinted there, and her listless attitude betrayed the rest. He was too late!

For a moment, the young man's self-possession was in danger of being altogether lost; but he quickly conquered his rising indignation and addressed himself to Alicia's father, as if she were not present or not plunged in grief and humiliation.

"Mr. Newcome," said he, as firmly as possible, "I have called on you this morning to ask your consent to my engagement with your daughter. I love her, and she has promised to be my wife—"

"Ah, she is forward for a girl of her age," interrupted Newcome, sarcastically.

"Not without your approbation, Mr. Newcome; she has promised nothing without your approval."

"My daughter is disposed of," answered Newcome, briefly, with a frown.

Seeing that the man was doggedly incorrigible, Allen turned to Alicia, who sat, leaning her forehead on her hands, in motionless despair.

"Are you sold to the Frenchman?" he asked, in a voice that would be husky in spite of his efforts to control it.

She gave him a rapid sign of assent in her anxiety lest he should say something further disagreeable to her father.

"Do you consent to it? to be bartered away like a squaw to an Indian trader?" cried Allen losing all control of his feelings.

"I obey my father," answered Alicia, with that calmness of manner which comes from exhaustion of suffering.

"Your father! Much claim he has to that title!" exclaimed the young man, in the highest excitement. "Father, indeed!" and he stood fixed, in anger and pain of disappointment. He almost wished, at that moment, that he had let the lynchers hang the man.

Alicia, as if sympathetically informed of his thoughts, signed him to come near her.

"Don't be angry with him," she whispered, "but try to save him, for my sake."

Allen did not promise. But he took that opportunity to press her hand, and to whisper a word of counsel in her ear.

"Alicia, your guardian is waiting for you," interrupted her father, sternly.

She immediately rose to go.

"May I come to see you sometimes?" she asked, timidly.

"Ask your guardian," was the freezing answer.

Choking back her tears, the unhappy daughter approached the prisoner's chair, and bending her lips to his cheek, kissed him lightly, as if afraid of being repulsed; and then, without a word or a look toward her lover, hastily left the apartment.

Allen restrained the impulse which he felt to follow her, and seated himself with the determination of making an appeal to the reason, feeling and interests of the man before him. But it was in vain he talked of youthful hopes and affections crushed; of the shame of putting a pure young girl in the power of a man like the trader; of the indignation his (Newcome's) enemies might excite against him on account of it; of the grief of the child at being parted from all her friends; even of his own disposition to drop all attempts to befriend him in his precarious position.

He might as well have talked to Lot's wife, as she exists at the present day. The man made no arguments nor defense; he merely gave an unequivocal refusal to all propositions to revoke the purpose he held toward his daughter, neither showing anger nor fear, but a sullen vindictiveness. The young man at last sat silent, in wonder, indignation and despair.

"Mr. Newcome," said Allen, at last, "something which I happen to know may perhaps change your determination. Your daughter's relatives on her mother's side have been making endeavors to find her out."

The lightning glance which Newcome cast at the young man showed that at least his apathy was broken.

"If you knew that they were likely to give her their protection, would you not prefer that she should receive it before that of Mr. Mauvais?"

"No!" shouted the man with a terrific oath. "I would see Mauvais take her to hell first!"

## CHAPTER X.

### THE MYSTERY CLEARING AWAY.

"How-dx?"\* exclaimed Flag, bursting into Allen's office that afternoon, and finding the young lawyer with his face buried in his hands, and his elbows on the table before him. "Why Squire, old fellow, what's the matter with you? This is the first time I ever saw you down in the mouth in this way. Are you sick, or out of business, or in love, or what's the matter?"

"How are you, Flag? I'm prodigiously glad to see you," said Allen, shaking hands, but not looking particularly animated. "When did you get in?"

\* Omaha for "How do you do?"

"Half an hour ago. Had the greatest time. Been away over on the Elkhorn, and out on the Platte. Glorious country, I tell you!"

"Did you find any place you liked better than this?"

"Oh, I don't know; I like to be near the river, where I can hear a steamboat whistle once in a while. How do those Irishmen get along on our claim?"

"Well enough, I guess. I don't look after them much. Have you seen Ed while you were gone?"

"Nary an Ed. It's an interesting case of mysterious disappearance. It's six weeks, nearly, since Ed went away? I think we ought to inquire into the matter."

"I have been inquiring into the matter," returned Allen, "and I've found out what I suspected to be true. What would you say if I should tell you Ed is a horse-thief?"

Flag was so confounded that he said nothing, but only stared at Allen in silent amazement for full two minutes.

"Gods!" he ejaculated at last; "to think that we harbored such a fellow. Why, what an accomplished villain he was!"

"Every villain, to be successful, must have talent and self-possession," replied Allen, "and he had both. Only once I caught him off his guard."

"But how did you find out about him, Squire? Has he been caught?"

"I'll tell you all I know about it, and how I came to make up my mind. You remember the apparition we saw that night? and that we supposed Ed was asleep?"

"Yes, I remember; I don't think I shall ever forget that night. You don't mean to say Ed was *not* asleep, and did *not* dream as he said he did?"

"To tell the truth, I had a little suspicion of him all the while—that is, after my mind had time to cool off, when the examination of Newcome was over, and I recollect about the two shots. But I was not certain enough to make it safe to act on the suspicion, and I felt almost ashamed of myself for having it, besides."

"What are you coming to now, Squire? You can not mean you thought he shot the Doctor?"

"Draw your own inferences, Flag, but don't interrupt me. I was speaking about that night. Well, you know how he behaved—about his dream, and all. I am not superstitious—though that is what everybody says—but I did feel that what we saw meant something more than a lively imagination. Whatever it was—ghost, phantom, apparition—call it what you please—it was fearfully real and perfectly distinct. You agree with me about that? And it pointed to Ed, who, we thought, was sound asleep. Why should the ghost have pointed to Ed? that was what I asked myself over and over again. The question kept in my mind, dogging me into watchfulness. The day the lynchers so nearly finished Newcome's job for

him, when I was walking away from the 'place of execution,' Ed came along and complimented me on my success in dispersing the mob, rather sarcastically, I thought; and seemed quite excited about my have urged the people to discover who fired the other shot. I was looking out for him, and accidentally, in the heat of his apprehension I suppose, he dropped the remark that he 'knew I believed Newcome the guilty man.' I asked him quietly *how* he knew, and, quite thrown off his guard, he replied: 'I heard you tell Flag so.' I retorted: 'I thought you were dreaming.' He gave me a very peculiar look in a sly way, but, I affected not to see my advantage. However, he soon left my society, and the next morning he had business in another county. Now you may give me your inference."

Flag, whose countenance had undergone a variety of changes, was visibly affected.

"This is a strange case, Squire," he said. I can not help being impressed in the same way you are; and then there is another circumstance might affect the evidence. Ed sold his gun that day—at all events he said so—and he got rid of it, any way. Was he afraid it would betray him, or was he anxious to get rid of it for some other reason? It was a gun he made a great fuss over, and had often said he would not sell it. But it was curious he should have hit upon the very description of thing which we had seen, when he related his dream."

"Well, either he saw the apparition too, the same as we did, or else he learned enough from our remarks to be able to describe it, and took that way to divert suspicion. For if he saw the Doctor point him out, as we did, he must have felt very uneasy, lest we should be impressed by it in a way to injure him. He acted his part exceedingly well, for he must have been in mortal terror. But *he did not sell his gun!* I looked out for that too, and I found it one day, hidden under a log in the ravine, not far from where the dispute occurred, and in a direction from it to have hit the Doctor, as the surgeon described, and on lower ground, as he said. What more do we want to know about it?"

"Not much. But you have not told me yet how you found out he was a horse-thief."

"Only by 'induction,' as the philosophers say. I chanced to hear of a case where a respectable-looking young man had applied for work at a mill-place down below here a few miles, and, after remaining there at work long enough to get 'the hang of things,' had demanded his pay and left. That night the horses, a splendid pair, were stolen, the stable lock having been picked with the mill tools. The owner told me—for I went down to see him, and get a description of the man—that one of his horses could not have been got out of the stable by a stranger, or one who had never handled him, which made it pretty certain who the thief was."

"And did the mill man describe Ed?"

"Exactly, there is no mistake about him. But the scoundrel got off safe, and sold the horses over in eastern Iowa."

" It seems incredible that any man could be so consummate a hypocrite and desperate a villain, and yet carry no more marks about him than that man did. The only motive he could have had was revenge for that joke we played on him—which cost poor Doc his life. I'll never play another practical joke as long as I live—I could not, after this ! " said Flag, with tears in his eyes. " Newcome will be cleared, suppose ? " he added, after a pause, during which the young men's thoughts were busy with the past.

" No jury will be able to convict him with such doubts in his favor, and I don't think he will come to trial at all."

" And the daughter—what has become of her ? Ah, I have found out the cause of your elongated visage, I believe. Your face can't keep a secret of that sort, Squire. No trouble in that quarter, I hope ? "

Allen was just in that state of mind when he wanted a confidant—somebody into whose sympathetic ear to pour the story of his wrongs, and the bitterer wrongs of her he loved. And so he told Flag the whole story.

" The old curmudgeon ! " Flag exclaimed. " Why, I'd let him hang; I'll be blessed if I wouldn't ! He's altogether too hateful to live among human beings, and society would be better off without him. "

" Unfortunately, that would not help my case at all. The little saint has adopted the martyr's *role* in this affair, and seems determined to offer herself as a sacrifice for the sin of telling the truth about her undeserving father. The great thing now would be to gain time; for it is my opinion that the mysterious stranger will appear again before long, and that then she will be taken out of Mauvais' hands. That would save *her*; but I suppose I should be looked upon as a fortune-hunter, if I presumed upon our engagement *then*. Confound it, I'm out of luck every way ! "

" Courage, old fellow ! It's darkest always just before dawn. What's the reason you can not detain her here as a witness ? "

" They would get around that by taking depositions; and she'll be hurried off and hid away in some convent. That, I suspect, is the Frenchman's plan. There comes Wyman in a terrible hurry; I wonder what's the matter now ? "

" I've just run in to tell you, Squire Allen, that our little girl is poisoned. The doctor's gone to see her, and I mustn't stop to talk. You'd mebbe better come and see her too, though it won't do any good as I know of. She's mighty bad; " and without stopping to answer questions, the constable was gone in a twinkling.

" Good God ! what next ? " cried Allen, bursting into tears, and burying his face in his hands.

" Why, Allen, my friend, " said Flag, laying his hand on the young man's shoulder gently, " don't give up that way. It may not be so bad as you think. "

“Bad!” ejaculated Allen, with boyish petulance of manner; “I think the evil one has been let loose in Fairview.”

“Nonsense, Squire. His Satanic Highness has *been* loose these six thousand years, going about all the time like a raging lion, seeking whom he may eat. So his presence is nothing new; and all we’ve got to do is to turn him a cold shoulder whenever we can; or, if he gets to be too impudent, to thrash him soundly. And as to this Fairview devil, if I were you I’d give him the slip by kidnapping that young lady-love of yours, and running away with her. I’ll help you do it if you need any help.”

“You talk as if she wasn’t dying perhaps—or dead,” said Allen, choking on the word. “I’m going to see *how* she is, and what this means. Come in again this evening, Flag, for I want to talk with you.”

Allen arrived at the constable’s house almost as soon as the physician, and found Mr. Wyman in a state of the greatest alarm. And truly the patient’s appearance was sufficiently alarming. Her complexion, so lately pale, now was a bright scarlet; her eyes distended, and the pupil enlarged, though apparently visionless; and she was suffering from distressing nausea, while she was, at the same time, in a muttering delirium. Of the cause of these symptoms Mrs. Wyman knew nothing. Evidently they were the effects of poison, but how administered she could not tell.

“What has she eaten to-day?” asked the physician, at the same time preparing active means for relieving the patient’s stomach of its poisonous contents.

“Almost nothing at all. She was ailing when she came back from visiting her father; and she laid down right away, and couldn’t be coaxed to eat any dinner; but a little while ago I felt bad to see her so miserable, and urged her so much that she ate a little piece of bread and some fresh raspberries that Mr. Mauvais had sent her this morning; and that’s all.”

“Did she eat any of the berries in the morning?”

“No; she didn’t take a bite for breakfast—only some coffee.”

“Did any one else eat any of them?”

“No; they were just for her; I never touched them.”

“Let the rest of them be kept for examination,” said Allen, who had asked the last two or three questions.

That night, after active treatment, the dangerous symptoms abated, the patient being left in a state of great exhaustion. Meanwhile the news of the poisoning had been conveyed to Mr. Mauvais at the trading-post.

“*Dieu!* Ho, Jose! Get me a horse, quick!” ejaculated the trader in the greatest excitement of manner. “Curses on that panther!” he muttered; “it’s her work. By the furies, I’ll kill the old wild-cat!”

As if fate had sent her that way, *Ka-shau* at that moment crossed the piazza. Mauvais sprung after her and caught her by one arm

"She-devil! You have poisoned *her*—my little white friend—who never harmed you. You deserve to die."

Ka-shaw did not shrink from his powerful grasp, nor avoid the fiery anger burning in his eyes. Her own glittered with satisfaction.

"Is she dead? the pretty white girl? Ka-shaw is sorry for poor Mauvais."

"*You did it!*" repeated the trader, still gazing sternly in her face. But the expressionless features gave no sign of agitation; only the twinkling of the small black eyes betrayed the secret triumph of the Indian woman's hate.

"Mauvais is drunk," she said contemptuously.

"The lightning blast you!" cried the trader, quite beside himself with passion, and shaking her violently.

"Take care, Mauvais! An Omaha never forgives," said Ka-shaw with a warning calmness in her voice.

"Omaha!" ejaculated the frantic man. "What do I care for your whole beastly tribe? Beggars, thieves and murderers, all of you!"

The words were scarcely out of his mouth before the gleam of a knife flashed before his eyes. It descended upon his shoulder, inflicting a deep flesh wound. Maddened by the pain, and invested with more than ordinary strength, the trader succeeded in snatching the knife, stained with his own blood, from the strong grasp of the squaw, and plunged it in her side. She fell heavily to the floor, dragging him with her in her fall.

"Poor Ka-shaw!" said Mauvais, raising himself on one knee and looking at his victim, "I believe I have killed you indeed."

His shouts gathered the people of the post about him, who, knowing the overbearing nature of one, and the violent temper of the other, were not in the least surprised at the revolting tragedy, though the Indians muttered threateningly among themselves.

"I can't wait long on this scratch," said Mauvais to the post surgeon who dressed his wound. "I must go up to the Reserve, and explain this business to the Indians, or they'll be sending after my scalp."

"You will add a *salve* of a few hundred dollars, to each of the chief's national feelings too, I suppose?"

"*Dieu*, yes! They'll make me pay well for it. I'm sorry I killed the squaw, for I don't like blood; but there is no doubt she poisoned Miss Newcome, and she might have done the same for me, seeing that Miss Newcome escaped dying. I'm going to quit this Indian life; I'm sick of it!"

## CHAPTER XI.

## THE STORY OF A NIGHT.

Two months had elapsed, and Alicia was still at Mrs. Wyman's. The effects of the poisoning, and her continued delicate health, together with her anxiety to remain in Fairview until after her father's trial, had caused an order from her physician that she should be allowed to follow her own desire in this matter. Yet the preparations for a year at school were going on, and the little parlor of the constable's house was like a fancy bazaar, so great was the profusion of pretty colors and fine fabrics which the trader's generosity had supplied.

"I declare it seems just like getting ready for a wedding!" Mrs. Wyman exclaimed as she stood with upraised hands in the midst of muslins, silks, shawls and laces, which Alicia was unfolding from a package brought up by the last steamer. Mr. Mauvais was in St. Louis, and had sent these presents to his ward.

Alicia did not smile as most young girls would at such an allusion; she *did* smile however, just to please the kind woman who took so great interest in all her affairs, and presented each article anew for her admiration.

"It's strange you don't seem to care much for these pretty things," continued Mrs. Wyman. "When I was a girl, such a lot of handsome presents would have set me wild. Mauvais is a generous man, if he has faults."

Mrs. Wyman always spoke well of the trader; partly because she seldom spoke ill of any one; and more, perhaps, because he had been a liberal friend of her husband when they first came to the new country.

"But I wish things was a little different. Now, if Mr. Mauvais was your uncle, or some relation to you, and these was your wedding-clothes, and you was going to be married to young Mr. Allen, it would be nice! If Allen was my own son, I couldn't feel much worse about his disappointment than I do; for I like him better than any young man I know. And I'm sorry enough I didn't just do what he asked you to—be married to him whether or no. For your father has cast you off; and Mauvais has no right to you—nobody thinks he has. It is worrying about this that keeps you so pale, I'm afraid; tho' you don't just own it. For you see it is going against nature."

"Please, dear Mrs. Wyman," said Alicia, coaxingly, "do not

mention Mr. Allen to me any more. I can not help doing what I have promised ; I should be very unhappy to do any other way."

" Well, dear, I won't trouble you ; you have troubles enough I guess. I only wish you would take good care of yourself, and not work so steady when I know you don't feel like it "

" I have been thinking all the afternoon about home—I mean about our house on the claim," said Alicia, dreamily. " Don't you think I might go there by myself, Mrs. Wyman ? "

" I guess you might. 'Tisn't likely you will meet any one out there. But I don't like to see you taking such lonely walks, because company would make you feel a great deal cheerfuller."

" Not to-day," said Alicia, shaking her head. " I am longing to see the place alone; company would prevent my enjoyment of it."

" Well then, take care not to overheat yourself. It's very sultry, and looks as if we might have a shower by evening. You'd better go by the lower road, in the shadow of the bluffs."

Promising to take all these precautions, Alicia set out upon her walk. As she left town she turned into the "lower road" which was a mere terrace along the river-bank—a limestone ledge, like that on which the trading-post was built—and was overhung in the same way by a vine-clad wall of steep bluffs. In several places the wall was opened by the mouths of ravines that divided the ridge of the bluffs and afforded a way of ascent to the high prairie-land beyond, as they gradually narrowed in depth to the top of the ridge, like a funnel with its wide end inclined downward to the river. Opposite to one of these openings Alicia observed a skiff moored, with the oars still wet; but the oarsman himself was not visible. Thinking it was one of the many that crossed the river daily on some errand to the trading-post or village, she did not look about her for the owner. If she had, she would have seen a pair of piercing eyes gazing at her from behind the shrubs and vines that choked up the mouth of the ravine.

Slowly she pursued her way, thinking her own sad thoughts, hearing the river's murmur as in a dream, hoping little, fearing nothing, but patiently bearing the cross that had been laid on her young life. As she climbed the steep terraces which had been cut out of the bluff to reach the cabin, she often felt compelled to pause for breath, sitting down as she did so, and gazing absently, yet with a feeble sense of enjoyment, at the shining river and the hazy August sky. Her dress was the same—a white wrapper, a little scarlet shawl, and straw hat drooping over her face—that it had been on that last day at the cabin. She was thinking of that day, and wondering if ever there would be any more so bright as that, before the terrible trouble fell upon it. In her reverie she did not hear a step coming toward her, until she heard her name pronounced by a well-known, but of late absent voice.

" What good spirit brought you here to-day, Alicia ? Sit still—do, dear; do, dearest Alicia ! I have been hovering about here for

an hour, not knowing some kind spirit held me here that I might at last see you."

"I was going to the house—to see the old place," answered Alicia, rising, and at the same time trembling too much to proceed.

"Well, go there, if you wish. Only let me go along. Do not refuse me. It is not safe for you to go alone, either—really it is not. There may be some scoundrels lurking about here, knowing the place is deserted. You see this lariat? I've been looking all day for my horse, without finding him: and have about made up my mind that he is stolen. There is no telling who you might meet. Lean on my arm, dear, up these steps. I know you are forbidden to see me; but the one who forbids you has no right to exercise such authority. Lean harder on me, darling; I could carry you up easily, you are grown so light. You look like a beautiful spirit—an angel without the wings," said Allen, gazing on her with mingled sorrow and delight.

It was so difficult to resist his impetuous manner, and so hard to deny the pleader in her own heart, that Alicia ceased to think of it, and quietly accepted his offered assistance.

"If you knew how unhappy I have been!" continued Allen. "and you too, darling—I do not need to be told that you are suffering with me. Oh, if I could bear it all, I would submit more cheerfully."

"I fear it is not wise, Mr. Allen, for me to listen to any conversation on this subject. You remember the terms on which I am permitted to remain here until after my father's trial. Even seeing you in this accidental manner puts me in danger of being sent away."

"They shall not send you away; indeed, they shall not. I will carry you off in my arms first."

"You forget, Mr. Allen, that my consent would be wanting to such a proceeding."

"Ah, you smile as beautifully as ever. But don't call me *Mr. Allen*, dearest. Did you not know my name is *Frederick*? You have never called me that, though I wish you would. Oh, darling! Providence has thrown us together once more to-day. It may be we shall never meet again alone. Don't be cold with me. You did not promise not to love me, but only to give me up. And now that we have met by the kindness of pitying Heaven, do not waste our precious moments in assumed indifference. Let this be an afternoon to remember through years of trial. Dearest Alicia, forget your father and Mr. Mauvais, and all the world but me. Give me these few brief hours."

Where was the gay and confident Allen of a few months past?

"Every one says," murmured Alicia, regarding him attentively, "that I am very much changed; but I can not think I am so changed as you are. Dear *Frederick*, how much pain I must have caused you! I am so sorry! I wish you could forget me altogether."

She sighed, and drew her hand away, as if her free renunciation would help him in making his.

“Don’t take your hand away, dear. Lovely little hand, whose owner talks of being forgotten! If I could forget you darling, I would not wish to. The misery of a hopeless love for you, is sweeter than happiness with any one else. So don’t talk about it; but look upon me as yours always—yours forever—let what will happen.”

Arm in arm—for Alicia was so carried away by his stronger will that she no longer cared to deny herself the pleasure of this unexpected meeting—the lovers, blessed for one little hour, strolled about the cabin and premises, or sat upon the porch, gazing at far-off landscapes over the river, while they talked of prospects in the future, more far-off, and not so bright as these glorious river-views.

“Bear this in mind, my love,” said Allen, at the close of a vain effort to shape any tangible hope out of what seemed their inevitable fate, “that I have not given *you* up. Time and unforeseen events may do something for our cause, though we are able to do nothing for ourselves; and whenever that time comes, I shall not be far away. But, I want to ask you one thing, my love. I know you are the best little girl in the world, and that you always sacrifice yourself to a sense of duty; but is there not some other reason for your extraordinary constancy to your father who certainly has not seemed to deserve such perfect self-sacrifice from you—some secret motive, I mean, for being the most dutiful daughter that any one ever knew? I have sometimes thought there must be.”

“I do not know,” replied Alicia, embarrassed, “that it is a daughter’s province to judge of her father’s deserts.”

“Perhaps not, dear; but you evade my question. If I am impertinent in asking it, tell me so without embarrassment—I can bear a little reproof from you.”

“Oh, no.” she answered, nervously thridding her slender fingers through the scarlet fringe of her shawl; “it is not presumptuous in you to wish to know any thing which concerns me; and I should tell you anything willingly which would not displease my father.”

“Your father again! Well, you are an incomprehensible girl. But I won’t tease you any more, for I see I have made a good guess.”

The afternoon sun was shining hotly and the air was very sultry. The little porch was not a comfortable place on such an afternoon, and Allen proposed to seek the cooler shelter of the woods. The forest along these bluffs was crossed in every direction by Indian trails, affording well-beaten paths through the wildest thickets, and often leading into the most picturesque glens, dells and ravines. Alicia had formerly wandered about these paths alone, with the greatest delight, and now accepted the proposition to retrace them with pleasure.

With her hat swinging by a ribbon from one hand—and with arms about each others’ waists after the immemorial fashion of young

Lovers, Allen and Alicia entered the woods and strolled about its checkered ways until almost sunset, stopping occasionally to rest on a grassy mound or fallen tree. They had been so happy in each other's loved society that the thought of parting again so soon began to overshadow their joy and make long pauses in their conversation.

During one of these sad silences it was, that Allen felt Alicia give a sudden start of alarm and quickly withdraw herself from his arm."

"What is it, dear?"

"I see a man in the woods; and was afraid he might observe us."

"Don't be afraid, love," he replied, in a low tone; "which way from us is he?"

"In the path round the head of the ravine. He is walking slowly and looking about him carefully; do you see him?"

"Yes, I see him. Don't be alarmed, darling; he can not see us behind these bushes; and it is not any one who knows us, I think."

"Good Heavens!" whispered Allen, after watching the man's movements in silence for a few minutes. "I know that man, Alicia. It is the one who ought to be in your father's place!"

He was trembling with excitement—the great drops of sweat standing out on his forehead.

"Can you be very brave, dear," he asked, eagerly, "and help me take that villain prisoner? *Don't* look so frightened. You know I would not risk any injury to you for the world."

"But *you*?" she whispered, "you are single-handed and unarmed."

"I will take him at a disadvantage," he replied, keeping his eye on the man. "He is coming this way. If he sees me he will retreat; but if he only sees you, and you do not appear to notice him, he will be less apt to take alarm. Now love, if you can be composed and cool enough to do as I tell you, your father is saved. Will you?"

Alicia gave a sign of assent, and Allen pressed her hand in return. He had no time for thanks.

"I might knock him down senseless," he said in the same low tone, "but I do not want to do that. I must take him prisoner, and haven't got the means. Listen, dear! Get up slowly, and walk toward the house leisurely, as if you did not suspect his near neighborhood. That will reassure him, and keep him from running away; but when you get out of sight, run as fast as you can to the house and bring me the lariat I left lying on the porch. By the time you can get back I will have him, or my name is not Fred Allen!"

Alicia did not need urging, timid as she was, for in this event she saw the greatest hopes for her father. She made her movements with so much quiet ease that the prowler was deceived completely,

and kept advancing along the path directly toward the place of Allen's concealment. He came very slowly, without any apparent motive, but watching the flutter of Alicia's white dress as she disappeared in the direction of the cabin.

"The young bird hovers about the nest, tho' the old one is caged," he muttered. "It would be a little odd for she and I to meet. What the devil brought me here? To see Newcome's girl?—Pleasantly suggestive, any way! She's a pretty creature to be a murderer's daughter!" and he laughed a low, strange sort of laugh, that roused the waiting lion in Allen's blood.

By this time he was quite abreast of where Allen was standing, screened by some low oak bushes; and as if irresolute about going any nearer the clearing, paused and half turned in the path.

"I suppose Squire is looking for a horse to-day. Wonder how he likes that kind of practical joking? There comes Newcome's girl again—I believe I'll wait and speak to her—she don't know who I am."

"But I do!" exclaimed a stern voice behind him, and the next instant he was struggling violently in the iron grasp of a pair of powerful arms, which so pinioned his own that he could not use them for defense. In the struggle both fell to the ground, Allen taking care to be uppermost; and while he saved his hands from injury by partially releasing his antagonist, he made his weight of good use in keeping him down while he secured a fresh hold of his arms. Ed, or more properly Joe Carnes, had been so taken by surprise as not to be able to command his whole strength, always inferior to Allen's, and made but a short though fierce resistance to his captor.

"Give me your help, Alicia," gasped Allen, panting from exertion. "Here! bind the lariat around his arms, while I hold them. Make it tight. Use all your strength on it. There now! tie it—good and strong!"

Excitement had given her strength, and lent quickness and energy to her motions, as well as color and a resolute expression to her face. As she bent above him, laboring with all her might to make his fetters fast, something of the rage and ferocity of the man's face disappeared, and an expression of sarcastic humor took the place of it.

"It isn't often a man has the honor to be taken captive by a pretty girl," said he, lightly. "Squire, I owe you something, and we'll settle that one of these days—but Miss Newcome, here—really I never can repay the kind attentions she has just honored me with."

Allen had seated himself on the prisoner's knees, and was too busy tying his ankles together with a portion of the lariat to take notice of his remarks. But Alicia shrunk from his untimely mirthfulness, and retiring to a little distance, awaited the next turn in affairs.

Having bound and disarmed his man, Allen forbore to make any reply to the curses "not loud but deep" which were showered upon him by the prostrate foe, leaving him to reflect upon the chances of

his present position while he consulted with Alicia about further movements.

"How worried you look, dear," he said, gazing with mingled anxiety and admiration in her face, from which the flush had faded. "I fear I have asked too much of you already; but if you would not be afraid, I would like to leave that fellow in your charge for half an hour, while I go for an officer to take him."

"Oh, let *me* go for some one," pleaded Alicia, terrified at the thought of being alone with such a man, though ever so much bound.

"Really, darling, I do not think that would be best. It is already getting late; you could not get to town one quarter as soon as I could, and would not be able to accomplish the business, in some time after getting there. There is nothing to fear, my love."

"But what if he should have comrades in the neighborhood?"

"I don't think it likely that he has. Besides, I will leave you this knife and pistol. The pistol is loaded, and you know how to use it in case of necessity. Are you still afraid?"

"I will stay," answered Alicia; but she did not say without fear.

"Thank you, my brave love. I will go then, right away; but first let me get you a seat."

He found a place for her near the prisoner, and, handing the pistol to her, turned to Carnes.

"I have given this young lady direction, if you attempt to escape by calling any one to your assistance, or otherwise, to put this pistol to use instantly; so you will use discretion, unless you wish Miss Newcome for your executioner."

"A fair hand to die by," muttered Carnes, when Allen was out of reach of his glowering glance at him. "You really would oblige me, Miss Newcome, by sending a ball through my head. It aches confoundedly, lying in this position."

"I will put my shawl under your head," said Alicia proceeding to take it off and fold it into a pillow.

Carnes watched her movements with a mingled expression of surprise and amusement; but when she raised his head and put the pillow under it, he scrutinized her face attentively.

"Do you do this because you pity me so much?" he asked.

"You said your head ached in that position," she replied, returning to her seat and resuming her guard.

He turned his face toward her, and continued to look at her for some minutes.

"Do you know why I am in this situation?" he then asked.

"I was not given liberty to answer questions; don't ask me any more, if you please," said Alicia, with a quiet show of displeasure at the freedom he used.

"If your father had been as discreet as yourself he would never have got into the scrape he did," said Carnes, maliciously.

Then, seeing she did not reply under such great provocation, he grew restless, and writhed his body about constantly.

"A damned pretty situation for a gentleman to be in," he grumbled. "Suppose I make an outcry, and bring a friend to my relief? I could do it."

"I shall do as I was bidden—shoot you at the first attempt."

"You! You could not shoot a man—your heart is too soft for that."

"I hope you will not put me to the test. I shall certainly do my duty," answered Alicia, firmly, though the bosom under the white dress was throbbing violently.

"It's going to rain," said Carnes. "I feel a drop on my face. You had better run to the house, for you see I can't get away. I'd be happy to escort you there if I could."

Alicia looked up through the trees, and saw that there was other reason than the approaching sunset for the gloom that was gradually darkening the woods. Gray, flying clouds were gathering thickly in the air, quite obscuring the heavens. Could she have seen the black eagle's wing spreading out in the west, she would have been terrified. As it was, she was simply very uneasy. The half-hour was not yet gone, and it was already quite dark in the woods.

"Miss Newcome," said Carnes, after apparent deliberation, "I have a skiff down at the foot of the bluffs. If you would cut this lariat and let me take my chances of escape, even now I swear to you that I will save your father from the hangman. Will you do it? Answer quick!"

Before Alicia could have replied, there came a roar through the woods, as of perpetual thunder. The trees creaked, and swung their tops together like giants in battle. The lightning flickered through the air, as if the heavens were one great electric battery, and every living thing a conductor. Above the roar of the wind came sharp reports of thunder, crash after crash, reverberating among the bluffs, and deafening the ear that heard it. The rain poured down in torrents, beating upon the undefended form of the terrified girl-guard, and her equally terrified prisoner. Neither could see the other, except as the frequent vivid flashes of lightning revealed their faces, wrinkled and pallid with fear. Still, Alicia sat holding pistol and knife, not knowing what to do nor where to go.

The wind continued to increase in violence, wrenching off great branches of trees, and whirling them through the air; and Alicia felt, rather than saw, that one had fallen very near. The next flash of lightning showed that Carnes was partly buried under it. A feeling of humanity prompted her to try to remove it, and groping her way by the flashes, Alicia made her way to the prisoner, who, when she came near enough to distinguish his voice, she found moaning with pain.

"Are you hurt?" she cried, aloud; but the words seemed to fly

off on the whistling and roaring wind, without making a sound. She repeated her question as loud as she could call.

"My arm is broken," she heard, in words that seemed to be floating off out of reach. "Cut the cord—do, for God's sake!"

Fearful even then of being imposed upon, Alicia felt bound to discover whether or not the prisoner's arm was really broken, and began to exert herself to remove the branch that seemed to lie upon it but the force of the wind, the numbing effects of the rain, and her mental confusion made that impossible. Meanwhile, the man kept moaning in a way to excite both her sympathy and alarm.

"Oh, Allen! Allen! will you never come?" she cried, wringing her hands in anguish.

A louder peal of thunder answered her, and she saw that a tree near her was struck with lightning, and stripped of bark from top to bottom. She sat close by the prisoner, listening to his groaning and imprecations, mixed with entreaties—tempted to free his hands, yet fearing to do so.

After waiting in this state of mind for a length of time, to her an age of horror, the storm seeming rather to increase than to abate, the poor exhausted girl sunk upon the ground, weeping bitterly. Yet, over the noise of the tempest she thought she caught the sound of voices, and raised her head to listen. Yes, they were close by, but in the wrong direction. What they said could not be distinguished, though they were almost upon her. A horrible oath attested their surprise at what they saw, on coming near enough to discover the situation of Carnes and Alicia. She caught but a few words, mostly oaths, and learned enough to know that these were not her friends, come to rescue her, but the prisoner's friends, who would rescue him.

Thinking now only of escaping from their dangerous society, the frightened girl was groping to some hiding-place, when a hand was laid upon her arm. A terrified scream burst from her lips, whose shrillness overtopped the roar of the storm. Then followed rapid words, apparently in altercation between her captor and Carnes, and she was released. She knew, by the gleam of the lightning, that she was left alone—alone with the rage of the elements, but safer than in the company of man.

Still the tempest raged at its highest, and still Allen had not come. Sometimes Alicia thought of trying to get to the cabin, and again she dared not stir away from that spot for fear of being lost, or of missing Allen when he should return. So she kept walking back and forth in the most open space near the place where Allen had left her, or sometimes crouching down, with her face upon her knees, to escape the glare of the lightning. Drenched with rain, without even the protection of her shawl, which she had given Carnes for a pillow, her thin, white dress clung chillingly to her shoulders, weakening and benumbing her so that she moved with difficulty. In this situation she waited for another half-hour, which seemed half the

night instead. Then came a peal of thunder, louder, with a sharper report, than any that had preceded it, while the air seemed ablaze with the electric fluid. Alicia was so shocked and stunned, though uninjured, that she dared not raise herself from the ground, nor her head from her knees, to look if the bluffs were not rent, or the forest strewn about her. Shuddering, she sobbed the name of Allen over and over, as if it had some charm to soothe the elements.

But the last grand discharge had been made by heaven's batteries. The thunder retired, muttering, with a rolling sound, as if its flying artillery were hurrying to a new position in the field of combat. The wind abated, and though the rain came down in heavier torrents than before, and the darkness thickened around her, this was less frightful and less dangerous than the previous storm. She now resolved to call Allen's name at intervals, in the hope that he might be searching for her, but too bewildered by the darkness to discover where she was. Adopting the peculiar tone used in the West to call aloud to any one at a distance, she shouted, with all her might and strength :

"O-o h, Allen ! O o-h, Allen ! "

She was answered by a hail only a short distance off, and, in another moment, flying to meet her lover, found herself clasped in his arms.

"My poor darling !" he exclaimed, as he felt how wet and chilled she was.

"Are you alone ?" she asked.

"Yes. I started first, but the constable is not far behind. Forgive me, dear, for being so long away. I was detained a few minutes by an accident, and then the storm almost prevented my getting here at all. My love, how you must have suffered ! But how is your prisoner—safe ?"

"He is gone—escaped with his comrades."

"Escaped !" exclaimed Allen, in a voice of unspeakable disappointment.

Alicia hastened to relate all that had happened.

"I shall never forgive myself for leaving you exposed to such perils," he said, drawing her closer to his bosom. "Poor little girl ! there is no end to her troubles !"

Alicia did not know why there was such a pathos in his voice as he uttered these pitying words. She only thought how much he loved her, to show such tenderness; and nestled closer to his breast in grateful confidence.

Soon the constable's lantern twinkled between the trees, and the lovers turned to meet him. Mr. Wyman held the light to Alicia's face, and shook his head gravely.

"Strange work for our little girl," he said, sadly; then speaking to Allen, he inquired for the prisoner.

"He is escaped—got off during the storm, by the help of some of the gang. He had a boat down at the bluffs, he said, and may be over in Iowa by this time."

"If he tried to cross in that storm, he is more likely at the bottom of the river, where he ought to be," said one of the constable's assistants.

"His arm was broken, he pretended, by the falling of an oak limb on it. Perhaps it was—perhaps it was not. At all events, there must be some of the gang about these ravines, and they ought to be hunted out," said Allen.

"Yes, that's true," answered Wyman. "But we haven't force enough to undertake that sort of a job, such a night as this. But come, Allen, you must take *her* home right away. My wagon is down here in the road. One of us will have to go ahead and carry the lantern. I wonder where them fellers has their boat moored?"

"It is down opposite the big ravine," said Alicia, who was following, with Allen, close behind the constable.

"I left my wagon there; hope they won't find that," he said, striding on faster.

Alicia was so completely exhausted by the time they had reached the road, that she could not go another rod, and begged to be allowed to rest.

"Let her wait there, Allen, while I fetch the wagon up," said Wyman, hurrying off, while Alicia sunk upon the lower step of the terrace. The other man followed the constable, leaving one of the lanterns for Allen.

"What can I do for you, darling? Here, sit on my knee, dear; don't refuse. It is nothing—or rather it is necessary, for you will catch your death cold, I am afraid, on the ground. You ought to be put in a warm bed this instant. I know how to nurse you, but I can not. I wish I was a woman!"

Alicia could not help laughing a little, dreary as she felt. Soon the constable was seen returning on foot, and without the wagon.

"I'll bet my head those thieves have got it!" exclaimed Allen, jumping up so quickly as to throw Alicia off his knees, though he still kept his arms around her.

"My wagon and horse are gone! I don't see what you will do, unless you carry her up to the cabin, and build up a fire. She can't get to town to-night through this mud and water. I must be after them rascals right off, without losin' time. I reckon they went down the road—yes, there's a track—and I'll git horses and help at the tradin'-post. *Have you told her yet?*" whispered Wyman, in Allen's ear.

Allen shook his head.

"Waal, waal, take good care of her!" and the constable was off after his stolen property, in company with the man in his service.

After a few feeble remonstrances, Alicia consented to be carried up the steps in Allen's arms, and though he panted somewhat under his burden, he still persisted in declaring that he had carried twice as great weight, and that this was nothing at all. A fire was quickly

made from the stove-wood which had been in the house for three months.

"Now, love," said Allen, as the blaze crackled and roared, giving signs of speedy warmth, "you must change your clothes, if there is any thing in the house to put on. If there is not, you must get into bed, with all these wet clothes off. I will retire while you make your arrangements; but first tell me whether you have any clothing here."

Alicia was obliged to confess that she had not. Allen went into the bedroom and brought out a large woolen blanket, and hung it on some chairs before the fire.

"When you get your clothes off, dear, wrap this blanket around you, and lie down on the bunk. I will come in after a while, and see how you are doing."

"Oh, no, I can not do as you tell me," replied the bashful girl. "I will dry my clothes on me."

"Dry and warm you *must* be. Do, dear, do just as I tell you."

He left her and went out of the cabin. When he returned, half an hour after, she was lying on the bunk in a deep sleep. Bringing more blankets, he covered her warmly and carefully.

"Poor darling!" he whispered, tenderly; "how much you need this rest."

All night Alicia slept profoundly, while Allen watched and slumbered alternately, sitting by the flickering light of the fire.

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## CHAPTER XII.

### THE ROGUES AT HOME

WHEN the storm began, a party of Government surveyors, not having time to get to camp, two or three miles distant, took shelter in a deserted claim-cabin, in the edge of the timber that skirts the Papillion river. The cabin was a mere doll-baby house, not more than a seven-by-nine affair, the building of which was supposed to satisfy the requirements of the law regarding pre-emptions.

"Strike a match, somebody, and let's see what's in here," said one of the party.

"A match! I've been striking one for two whole minutes. Keep that door shut, won't you? the darned things won't burn. I believe they're wet. Where's Flag? he's got a tin match-box."

The door being closed, and some dry German lucifers produced from Flag's box, a momentary gleam of light illuminated the little dark and windowless hut.

"Golly! give us another match, Captain. There's something in the corner here looks like provisions."

"I hope they'll taste that way, for I'm as hungry as an Indian," said Flag, as he lit another match, and held it close to the "provisions." Yes, here's something to eat, sure enough, boys. But how are we going to eat it without a light?"

"I could always find the way to *my* mouth without a candle," exclaimed another voice.

"Yes, that you could; and always manage to find your share of the victuals, too."

"Hurrah for us! here's a lantern!" exclaimed the first speaker, as the last glare of the match shone accidentally on that desirable object. "Here, give us one more lucifer, Captain Flag."

The lantern being lighted, the party, four in number, sat down upon the turf floor of the hut, to examine into the nature of the viands so unexpectedly provided for their suppers.

"Cold beef, dried venison, bread, cheese, and ale. That's what I call a good supply of grub. The fellow that owns this claim has a sight of sense. Wonder who he is?"

"He's a trump, any way; let's drink his health."

"And another to the FLAG of our Union--'Erin go Unum, and E pluribus Bragh!' as the Irish orator said in Cincinnati."

"Boys," said Flag, who had been in a brown study for the last five minutes, "I am much obliged to you, and wish you may live to see a thousand returns of this happy occasion; but in place of making a speech, I shall communicate to you a very grave suspicion which has occurred to me. I believe we have chanced upon one of the resorts of the horse-thieves; for the owner of this claim lives in New York, and there hasn't been anybody on it all summer, to my certain knowledge."

"That so Captain? Hope they won't return this evening to find us eating their suppers for them."

"I would rather like to see them, if we were armed," answered Flag; "especially if there was among them a certain one that I know."

"You know? Why, did one of them steal any thing from you?"

"No. One of them killed a friend of mine. I'd give a thousand dollars for the satisfaction of catching that villain," said Flag emphatically.

"Did it happen in this country?" asked two of the men, together.

"It happened last spring, in Fairview."

"What? You don't mean to say that it was one of the horse-thieves killed Dr. Edwards, instead of Newcome? Was that what Allen thought when he saved Newcome from the lynchers?"

"He might have thought so then; he knows so now."

"Why hasn't he said so, then, and let Newcome go?"

"Because he could not yet prove it, and his suspicions were not

evidence on which Newcome could be discharged. Besides, he wanted to watch for this man.

"Then he knows the man for certain? And *you* knew him, and neither of you have said a word about it? That's darned curious!"

"Well, we had our reasons, and were waiting to get the evidence all right. He'll be sure to turn up yet, for he's a doomed man, and can not escape."

The conversation had been carried on in tones pitched unnaturally high, but the roar of the tempest without deadened all other sounds, and the words spoken could only be heard by an effort of attention which rendered conversation painful. Therefore, when supper was dispatched, the young men stretched themselves side by side on the ground in the seven-by-nine cabin, prepared to sleep when the storm should abate, or tired nature could no longer resist the restorer, "balmy sleep."

But the close atmosphere of the place, added to the disturbance from without, and the suggestion Flag had made concerning the probable owners of the provision they had just eaten, were sufficient to make them wakeful, even after a hard day's work; and they continued to address occasional remarks to each other, or to exclaim at the violence of the tempest from time to time.

Perhaps there never was a party of young people, of either sex, kept awake together at night, especially under excitement, without resorting to story-telling as a means of dissipating time. Our young surveyors were no exceptions to the rule, at all events, and having once started upon that tack, might have talked till morning, after the lull in the tempest gave them an opportunity to be heard. However, about midnight, Flag, whose presentiments made him watchful, detected a sound outside different from the pouring rain or gusts of wind into which the storm had subsided. Giving his companions a hint to listen with him, they presently distinguished voices at no great distance from the hut, and coming nearer. As the candle in the lantern had burned out, they had no means of discovering who was approaching except by listening to catch what might be said. There were evidently three persons, as the voices and conversation revealed; and one of them was suffering from some hurt, which made the others solicitous about him, and caused him to utter frequent execrations.

"Go ahead and get the lantern, Jim," said he, after indulging in a volley of oaths. "I shall fall over this rubbish and break another arm, yet. Curse that dog of a Squire—I will kill him as soon as this one is well—I will, sure!"

"Do you hear that?" whispered Flag, hoarsely. "Boys, that's the man I told you about. I'll risk my life to take him whether you help me or not—but I hope you will help me. There's three of them, and four of us. They have arms, and we have not; but we may be able to take them all, if we can frighten them first. I'll be captain, and you keep still till I give my orders. Hark!"

There was one of the gang trying to undo the latch, which being a wooden one, and swollen with the rain, did not readily yield to his touch.

A low, hollow, sepulchral groan came from within, which had the effect to arrest the man's hand. In the pause the groan was repeated, more heart-breaking, blood-chilling and horrible than before. The man hesitated, and on the repetition of the sounds hastily retreated. There was a parley outside between the wounded man and his cowardly confederate, in which the former used more blasphemy than argument. At length Flag heard one of the men say :

"Waal, Joe, ef you ain't afeard, go in there by yourself; that's all I got ter say!"

Joe, however, was not so forward in making an entrance as he desired his men to be; and insisted on the second of his confederates procuring the lantern before he advanced any further. Something followed in a whisper which Flag could not hear; and then some one made a successful attempt to open the door in spite of Flag's most appalling groans, and the surveyors heard a pistol discharged several times over their heads. But as the pistol-shots did not silence the ghostly noises, the man proved no more venturesome than his predecessor, and retired without entering the hut.

"Lie low," whispered Flag when he was gone; "don't expose yourselves to be shot. The next one that comes will be the man I want."

He was right in his conjecture. Cursing his associates for cowards, Joe Carnes advanced to the open door, pausing an instant to listen for the noises which had so frightened his comrades; but not hearing them repeated, he cautiously stepped inside, when he felt himself suddenly hooded and almost smothered in a thick woolen blanket deftly thrown over his head to prevent his making an outcry, while at the same time he was pinioned by the strong arms of his assailant, and thrust against the wall of the hut. In this position, unable to make a noise, unless it was to imitate faintly the groans which had frightened his associates, the villain writhed and struggled both with pain and fear.

"Now boys," whispered Flag, "bind this fellow's legs together, while I hold him quiet. Take your handkerchief, or any thing you can get without a noise. Be quick! The others will need your attention in a minute."

"There! lay him down while I hold his mouth shut, and listen for the rascals outside. Shut the doors and burn some matches. They will see the light through the cracks and think it's the lantern. Keep them burning until you hear them at the door; then open it, and grab them by the arms. I'll help you then."

According to Flag's expectations, the light of the matches reassured the reluctant rascals, and they came forward with alacrity to seek shelter from the pouring rain. But the instant they swung the door open, the light disappeared and the two men felt themselves

grasped by powerful hands, and with such expertness as to be deprived of the power of resistance. They were speedily dragged within the hut, uttering oaths mingled with expressions of alarm, to which their captors made no rejoinder, except to ask and give each other assistance in making fast their prisoners; which they did with the surveying chain, and whatever they had about them that would confine strong limbs.

"Is that you, Flag?" asked Carnes, having succeeded in getting his head out of the blanket, after Flag had left him to assist in taking the others.

"I know your voice—you ought to remember mine said the surveyor, briefly.

"It seems I do," returned Carnes, stifling a groan. "I don't know what you've taken me prisoner for. It's a d—d outrage to lay in wait for a man this way. But when a fellow is in pain, with a broken arm, he has to act the suppliant sometimes; and I want you to do me the favor to try to set my limb, which was broken by the branch of a tree falling on it."

"I don't understand surgery; and besides there's no light," said Flag.

"There's a lantern somewhere in the cabin," whined Carnes, overcome by his distress.

"Yes, I know, but the candle's burnt out. If it wasn't, I don't know as I would help you, Ed. Your time has come for suffering some of the things you have made other people suffer; and though I am not usually vindictive, I do bear you some malice. You have been a devil whose malign influence has haunted Fairview all summer. When you are chained, we look for the millennium."

Carnes made no reply except to breathe a smothered groan which ended in an imprecation.

"If you take on in that way, you will frighten these comrades of yours," said Flag, in an ironical tone.

"Blast their cowardly souls! If I had two whole arms, you would never have taken *me* alive."

"Wouldn't he, Joe?" retorted one of the thieves. "I reckon you was took once last evenin' when you had two whole arms—an' a girl tied you too! An' guarded you afterwards."

"What girl was that?" asked Flag, with interest.

"'Twas that pretty child of Newcome's," answered the man, with evident satisfaction.

"Hold your tongue, Jim!" growled Carnes.

"I won't hold my tongue. Ef you hadn't acted the fool about comin' in here, we wouldn't a-been in this ere scrape we're in this minit. If the whippers git us, I hope they'll make me lay it onto you. I'll sweare I'll lay it on well."

What Carnes muttered, no one heard; and Flag asked the man to tell how it came to pass that Miss Newcome took part in the former capture of his prisoner.

"Waal, that I dunno. But I was down in Fairview last evenin', an' I heerd somebody a sayin' that thar was a man tuk up, in the Newcome woods, for horse-stealing. I reckoned right off who it mount be; 'cause I knowed the captain was expected over that arternoon, an' we was to meet him in the woods at dark. So I listened round, an' I heerd the feller that come arter the constable, a tellin' the constable that thar was nobody to guard the prisoner but just Miss Newcome; an' that he must go right back agin. Then he started off; but in a minit thar come the awfulest clap of thunder ever I heerd, an' it struck the house old Newcome was in—so they said—and the young man run right off to see what had happened. But the house was all on fire, an' I reckoned he wouldn't come away very soon; so I give the fellers that was with me the wink, an' we took a short cut for the woods. We was some surprised when we found the captain layin' on his back in the awfulest rain!—an' that girl a settin' close by him takin' care that he didn't run away with his legs tied up an' his arm broke by a big branch. *She* run away from us tho'. The captain grumbled 'cause she'd tied him up so tight; but he wouldn't let us stop her from gettin' away; an' so we left her in the woods alone—the wind blowin' a hurricane, an' the thunder shakin' the bluffs. What d'ye spose Joe stopped to hunt for in the dark, 'stead of makin' off, double quick? "

"The lady, perhaps," said one of the surveyors.

"No 'twan't. It was the gal's shawl, tho'. She put it under his head when he was lyin' on the ground, an' he was so tuk by her kindness he wouldn't part with the shawl for a hundred dollars, he said."

The man whom all this relation concerned was moaning, swearing, and silent by turns. He seemed to have given himself up to his fate, albeit with a bad grace, and no longer interfered with the confession of his confederate; and before day dawned, Flag was acquainted with the whole history of the escape. The constable's horse and wagon were left in the woods at a short distance from the hut; and it was the intention of the thieves to have gone up the Platte with them, at the first streak of light, to an obscure ferry whence they could find their way to the southern portion of the territory, or into Kansas—shrewdly guessing that the constable would look for them nearer the Missouri.

But the route they were obliged to take at daylight was one they had not calculated on—leading in more public ways, and to less desirable ends. Laid bound in the wagon, like calves destined for the shambles, they were escorted into Fairview by Flag and his assistants, and delivered into the hands of the authorities, to be dealt with according to law.

## CHAPTER XII.

## THE MESSENGER OF DESTRUCTION.

WHEN the constable left town for the conveyance of Carnes, he had not time to leave word with his wife concerning the business he was on. In fact he had not been at home that afternoon, and did not understand how it happened that Alicia was in company with Allen, nor why she was down at the claim at all. He naturally supposed that Mrs. Wyman knew all about both these matters, or he might have stopped to send her some message in explanation of the absence of her family at an unusually late hour. As it was, the neglected tea-table stood untouched, waiting for the absent husband and guest, when the sudden bursting of the tempest brought darkness instead of twilight, throwing the good woman, already very anxious on Alicia's account, into the greatest consternation. She had always been afraid of storms—and especially since her husband had sustained a severe loss by the sudden rising of a small creek, in a very remarkable rain-storm fifteen years before. To be alone in the house during a thunder storm was of itself a sufficient trial; but to be alone when the very air seemed on fire with electricity, and to feel the most harrowing uncertainty as to the safety of the young girl she had foolishly allowed to go on a lonely walk, unaccompanied, and not to know what had become of her husband either—all this seemed too much for Mrs. Wyman to bear.

At the first indications of the tempest, every window and door in the constable's house was made fast, and darkened, to keep out the glare of the lightning. When the first startling crash came, which, as Jim had said, destroyed the sheriff's dwelling, Mrs. Wyman was lying with her face buried in a pillow; and though she felt sure it must have "struck" somewhere within Fairview, she was ignorant of the terrible nature of the visitation. An hour or two afterward, when she ventured to put aside a curtain and look out, the town was lying in Egyptian darkness, while the rain poured down upon it in inexhaustible torrents, driven aside in sheets occasionally, by some fitful gusts of wind.

To sleep, under such circumstances was to Mrs. Wyman ~~really~~ impossible; and she continued to watch and wait, roaming uneasily about the house, and indulging her imagination in vagaries of the most extraordinary nature.

What if Silas had eloped with that innocent looking young thing? She had heard of such cases, and even where the man had lived for a long time on the most affectionate terms with his wife; and she presumed the wife was just as unprepared for such an event as she was at that moment. Young girls could be so deceitful sometimes! And she called to mind several instances of profound deception practiced by the sweetest-looking young rogues. To be sure, Silas had not seemed to pay her any attention; but then if folks want to be sly about such things, of course they can be. What a fool she should think herself, if she had let a pretty face blind her eyes to artful qualities. But no; Alicia was simple and affectionate—more so than any one she ever knew. What if these virtues were only assumed, and she should prove to have the bad traits of her father? Well, it would not always be night, and when morning came she should know what to think of this strange desertion.

Or what if some accident had happened to Alicia, and the poor child was dead or dying, and exposed to the storm? What if some of those spiteful squaws from the trading-post had seen her all alone, and taken revenge on her by murdering her, as that terrible Ka shaw would have done? What if Silas had been coming home in the storm and been killed by lightning? or the horse gone wrong in the dark, and fallen over the river-bank with wagon and master. Yes, that was the most likely thing, after all. It was probable that Alicia might have returned as far as the Judge's, and stayed there to tea; and Silas might have met her, and took her in the wagon, and both were killed!

At this climax to her apprehensions, Mrs. Wyman gave up to a hearty fit of crying, after which, being much exhausted, she threw herself on the parlor lounge, and toward morning fell off into a doze. At the first streak of day she was disturbed by a hasty and noisy summons at the door. Thinking it might be Silas happily restored to her, she sprung to admit him very eagerly, and was astonished to see only Allen, looking harassed and weary, as if he had not been in bed.

"Good-morning," said Allen, pleasantly. "Do you receive visitors at this hour of the morning?"

"Well, I always receive you, Mr. Allen; because I know you never come without some good reason. Do tell me what is the matter. I haven't seen my husband nor Alicia since noon yesterday. Come in, for I know you have something to tell me."

"To allay your anxiety, let me first say that Mr. Wyman is undoubtedly well and safe. Miss Newcome, too, is safe, and I hope well, though she was exposed to the storm last evening for more than an hour, and got dreadfully chilled and exhausted."

"Dear, bless my life!" ejaculated Mrs. Wyman. "Do tell me how she came to be out all that time."

Allen then proceeded to relate as briefly as he could the adventures

of yesterday, and the need Miss Newcome was in of some fresh clothing.

"Oh, dear! I ought to go right after the child 'fore anybody is abroad—and Silas is gone with the wagon!"

"Or gone after it, Mrs. Wyman. But I am prepared to take you in a carriage as soon as you can get ready."

Mrs. Wyman did not stop to say she would hurry, but she *did* hurry and in five minutes more she was seated beside Allen in a close carriage.

"There is one thing I did not take time to tell you, Mrs. Wyman," said Allen, with some effort; "something which affects Alicia's circumstances very much. Her father is dead."

"The Lord be merciful!" cried the terrified woman, turning pale. "How did he die?"

"By the visitation of God. The sheriff's house was struck and burned by lightning. The family escaped uninjured, but it is thought that Mr. Newcome must have been killed by the electric shock, as the lightning entered the room where he was confined, doing much injury to the house before it took fire. But in the tempest and confusion none could say exactly how it was. I was there three minutes after it was fired, and tried to enter the burning building at some point where the prisoner could be reached. Failing in this, I called him from the windows to assist me in breaking the wooden bars; but as no one answered I concluded that he was already dead. There was nobody to do any thing but the sheriff's wife and children, who were terrified out of their reason, and utterly helpless. The sheriff himself was engaged at one of the offices with the constables who were to go after Carnes."

"Does she know it?" asked Mrs. Wyman, significantly.

"No I had not the courage nor the cruelty to tell her, after what had already occurred to worry her, and her exhaustion, and all. Mr. Wyman was equally careful, so she does not dream of it."

"Poor, unfortunate child!" said the kind woman, weeping at the thought of having to communicate such news. "I shall be almost afraid to tell her, for fear of killing her too."

Mrs. Wyman found Alicia still asleep, though she wakened at the slightest touch. The motherly heart was inwardly bleeding for her, and the kiss she bestowed on the pale, smooth brow, had untold tenderness in it—the tenderness of pity, love and grief. Alicia answered her with a brilliant smile. In reply to inquiries concerning how she had slept she eagerly asserted that she never had slept so well.

"I had such a pleasant dream!" she said.

"What did you dream, dear?" asked Mrs. Wyman, helping her to put on her clothes.

"I dreamed that father had forgiven me. I thought we were once more living here in this house, and all was bright and happy. Father praised me for being good and obedient. He said, laying his hands

on my head with a strange but loving smile: ‘*Always be just the same, my daughter: do not forget your obedience.*’”

Mrs. Wyman had not neglected to bring some cordial along, and was holding a glass ready when Alicia concluded her dressing and her dreaming together. Alicia took it, and then proceeded to envelop herself in the wraps provided to keep off the heavy morning air.

“ Dear child,” said Mrs. Wyman, taking her in her arms when she was quite ready to go home, “ I believe your father *has* forgiven you, for spirits see with eyes different from our mortal ones.”

The quivering voice and significant accent told all.

“ My father is dead!” gasped Alicia, becoming ghastly white. “ Oh, Mrs. Wyman, my father is dead!” and she clung to her friend for support.

“ Be as calm as you can, dear. Your father has gone to his Lord, who has shown him how good a daughter you were, and now he is reconciled with you. Let that comfort you, to feel that he is reconciled at last. Come, dear, let us go.”

She meant to give her something to do; she did not want to grant her an opportunity to give way to sorrow at first; so she put her arm about her and drew her to the door, where Allen was waiting.

“ We are all ready,” she said to him, with a glance of intelligence. “ Help Alicia in first, if you please.”

Allen took her up in his arms, as he had done the evening before, and placed her in the carriage. He whispered but one word in her ear “ My darling!” but it unsealed the fountain of her tears, and when Mrs. Wyman was seated beside her, she threw herself upon her lap, and wept unrestrainedly. She did not see, as Mrs. Wyman did, the blackened ruins where were lying the charred remains of her father. As if she knew instinctively the manner of his death, she did not even look in that direction, nor uncover her eyes until they reached home.

But that day, a memorable one in the history of Fairview, enough was told her to confirm the horrible idea which haunted her—enough to quite scare away all efforts at composure and sink her at last in a happy insensibility that lasted for hours.

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## CHAPTER XIV.

### THE “AVENGERS” JUSTICE.

WHEN Allen returned from Mrs. Wyman’s he observed a large crowd gathered in the street in front of the big log-tavern. Thinking it only a gathering of the citizens, who were talking over the catas-

trophe of last evening, he was about to pass into his office; but hearing himself called by name, turned to meet Flag, who was seeking him

"We've got your man over here—and two more beside," said Flag, excitedly.

"Who? Ed?"

"Yes, Joe Carnes. He got away from you last night, I heard; but he's safe enough now. Come over and see him."

Allen complied rather wearily, and Flag gave a hurried account of the capture.

"I was obliged," he said, "to tell those surveyors that Carnes was the murderer we know him to be, in order to get them interested in the business. As they have told the same to the crowd, I'm afraid it will go hard with him, unless you can persuade them to give up to the law. They want you to tell them what you know about it, and they swear if they find him guilty on our evidence they will first whip and then hang him."

Allen walked around the wagon in which the prisoners were lying bound, fixing his eyes on Carnes, who, though evidently suffering greatly from his broken arm, did not fail to return his gaze with a glance of malignant hatred. Forbearing to annoy the wretch by any remarks addressed to him, Allen began to answer the impatient queries of the assemblage.

"Do you say this man killed Dr. Edwards?" shouted one man, as spokesman for the rest.

"I mean to have him committed on that charge," answered Allen. Then followed an endless catalogue of questions and remarks.

"I thought you swore pretty strong agin Newcome!"

"How did this feller—this horse-thief—come to be one of Dr. Edwards' mourners?"

"Did you know any thing agin Carnes when you spoke fair for Newcome?"

"Waal, I know he's a horse thief, an' thieves are 'bout as bad as they make 'em. Ought to be hung, anyhow, whippin's too good for 'em."

"If you say you know this man deserves hanging, we'll save the law a troublesome job. We must make an example of some of these scoundrels right off."

"Let's hear the whole story first."

"Newcome died in jail, and if he suffered for another man he ought to be avenged."

"Yes, that's what I say; 'tan't fair to give him any chance at all."

"Some of his gang will git him off agin, ef we shut him up; you may bet your life on that!"

"Well, let's know what we hang him for, 'fore we do it that's what I say."

"If you don't tell us all about him, we'll hang him any way."

"Every scoundrel of a horse-thief in the country ought to swing. Our property will never be safe until we wipe 'em all out."

"That's so! Hang every one of 'em! Never mind about what they've done besides."

These and a hundred similar expressions passed among the crowd; but many men insisted on nothing being done without good cause. Cries of, "A speech! a speech! Allen! Allen! Give us the evidence!" and such demands as seemed to compel the young man into compliance, finally brought him to the the tavern steps, as a stand. Beginning back at the cause of Carnes' enmity to the Doctor, going over the whole chain of circumstantial evidence, as he had once related it to Flag. and adding what transpired the evening previous, he presented an argument terribly convincing against the wretched Carnes, which, taken in connection with his other crimes, amounted to certainty of his guilt in the minds of the listeners.

"That's enough! that's enough! Let's hang the rascal right off!" shouted several voices together.

"No, my friends," said Allen, "that is not treating *me* right. You insisted on learning these facts from me, when I felt that for some reasons I ought not yet to reveal them. I wish to put this man in the hands of the law, to be tried by a jury—"

"We are jury enough," yelled some one in the crowd.

"I see some faces here," continued Allen, "that were in the mob last spring, and wanted to hang Newcome. Are you not glad I saved you from that sin? or do you love the hangman's work so well that you are glad of a job? You talk of whipping all these horse-stealers—you talk worse things; but I don't think you will do them, while it would be much better for yourselves if you should leave them to the law, to be punished according to it. But if you will do these things, let me entreat you to spare this one man to be tried, in order that justice may be done to the memory of a man who suffered much under a false accusation, and his name be cleared of the stain that still must rest upon it, unless the crime be proven to have been committed by some other person."

"We can't know any more about it then than we do now," answered some one.

"Then you ought not to use violence; for strong as the evidence seems, it is not positive. None of you *saw* him shoot Dr. Edwards,"

"I DID!" cried Jim, who had been so communicative the night before.

The effect of these words was so electric that not a man spoke for half a minute. Then a murmur rose, growing louder and louder, until it was like the growl of some monstrous wild beast. The crowd closed around the wagon in which the prisoners were still lying, to look at the man now so certainly doomed, or to question his new accuser.

Whatever were the motives of Jim—whether he hoped by turning State's evidence to procure some favor for himself, or whether out of

revenge for past injuries or present danger he betrayed his late leader—his statement was clear and apparently true. He said that, at the time of the shooting, Carnes was not the Captain of their band, but had newly been initiated in it. On the evening previous to the murder, an appointment had been made for himself and Carnes to meet next morning in the woods, to lay plans for further operations. He had seen Carnes shoot and afterward hide his gun, before he (Carnes) perceived his approach through the trees. They retired, on meeting, to a thicket in a ravine, where they must have remained until Newcome was taken; afterwhich they went across the prairie over toward the Platte, to get some ponies stolen from the Kansas Indians.

No one listened to this recital with more intense interest than Flag and Allen, for it furnished the one missing link—the one item of positive evidence which was lacking to make every thing clear.

"Did you see Mr. Newcome at that time?" asked a citizen.

"Yes; I was about half-way between Newcome and Carnes. I was lookin' for Carnes, and at first thought it was him when I saw Newcome. He was going along, holding his gun kind o' careless, shakin' his head and seemin' to be mad about something. His gun went off 'bout the same time Carnes fired, and I reckon it was jist an accident from his bein' so careless. It's likely Carnes knew who would be arrested, for I heerd him say thar' was an awful quarrel atween the Doctor and Newcome 'bout the claim. An' that's all I know to tell."

"Why didn't you come forward before, when you knew an innocent man was to suffer for the murder?" asked Allen.

"We don't blow on one 'nother in *our* band, 'cept we have good reason," answered Jim, gruffly. What the man's secret spite against Carnes was he did not reveal.

The crowd, now swelled and degenerated into a mob, was growing more and more excited every moment. Apprehending violence, the most quiet and orderly citizens withdrew, and returned to their homes. Allen, although he still remonstrated against the abuse of the law, now saw that remonstrance was in vain, and not wishing to witness the operations of Judge Lynch, hastily extricated himself from the throng, and escaped to his office, which he locked to prevent intrusion.

Left entirely to their own devices—for public feeling forbade any serious opposition to the mob—the patrons of speedy justice were not long in putting their principles into execution. Amid cries of every imaginable description, a few more authoritative commands could be distinguished, such as: "Get a barber to shave their heads!" "Somebody find the cowhides!" "Who's got the rope?" "Be sure it's strong enough!" etc. Some swore violently in their excitement; others pressed their lips tightly together, and, with blanched cheeks and burning eyes, worked more eagerly than the noisy ones. All were carried away by a frenzy of rage against their crime-stained but helpless fellow-men. A spot was

chosen, on the town square, in front of where the sheriff's house had stood, for the shaving and whipping. The wagon containing the wretches was hauled into the square, and the men lifted out upon the ground, still soaked with the heavy rain of the night before. While their heads were being shaved, the two comrades of Carnes maintained a composed, if grave and anxious demeanor; but the chief criminal betrayed more agitation. Whether they proceeded from fear, pain or repentance, great tears coursed down his cheeks, and his face was convulsed with sobs. These signs of weakness provoked various expressions from the mob, few of which were sympathizing, and even caused a contemptuous remark from his fellow-sufferer, Jim.

When the barber's work was finished, the men were stripped to the waist of their clothing. The swollen condition of Carnes' broken arm made it necessary to cut away his coat sleeve, which called forth the remark from a bystander that it was "no matter—he wouldn't need it any more;" upon which the miserable man broke forth into lamentations.

"Coward!" muttered Jim. "I'd like to use the whip on you myself."

"Hurrah! that's the talk!" yelled the crowd. "Let that feller use the cowhide—he'll do it up right!"

"Yes, let him warm himself up a little 'fore his turn comes!" yelled others.

"Gentleman," said Jim, "I ain't a doin' this to save you the trouble, but to settle a little private account of my own."

Carnes was tied to the post, and the whip handed to Jim, with orders to give him forty-nine lashes in twice as many seconds. Then arose the most horrible medley of cries, shrieks, blows and groans, all mingled in one appalling discord. Presently there was a lull in the tempest. The scarred and bleeding wretch was unbound and cast fainting on the ground, and another took his place. This was the one of the thieves who had not spoken a word since his capture. He was young, good-looking, and apparently in deep, though silent distress. Some of the mob compassionated his fate, and clamored for light punishment.

"Gentlemen," said Jim, who was sweating profusely from his exertions, "you are on the right tack now. He's a poor boy that Carnes sneaked away from his old mother, down in Missouri; and he's a right nice sort of a young feller, an' not much up to our tricks. I reckon if you'd send him home to his mother, he'd have a mind to quit this business forever afterwards. That's my 'pinion of him, an' I know him mighty well."

A consultation was held, during which the boy's white face was turned imploringly from one to another in the crowd, to catch, if might be, some shadow of hope. After some little delay, no one was found willing to apply the whip to his stripling shoulders, and he

was released, upon taking an oath never more to commit a theft, nor to return to the territory of Nebraska.

This clemency visibly affected Jim, who looked a the boy with tears in his eyes. But the sturdy villain asked no mercy for himself. He received the twenty lashes, to which his punishment was commuted by general consent, with a dogged endurance worthy of a better cause, and was warned to leave the country within two hours, never more to be caught west of the Missouri, on peril of hanging.

As he threw his clothes loosely over his shoulders, preparatory to starting for the ferry, he turned to the bystanders.

" You've done better by me than I deserve, for I've stole lots of losses in this country, an' never was cotched before. I ken tell you where Squire Allen's han'som' bay is hid; he's tied to a tree in the thickest of the woods over on the mill-claim, an' I reckon he'd like to see an ear of corn by this time."

Having communicated this useful information, Jim left rather hurriedly for the river, his boyish comrade lingering far behind, as if not anxious to join company again.

The mob now turned their attention to the reviving Carnes. A few were in favor of handing him over to the law; others, and by far the greatest number, advocated making short work of justice. What was the use, they asked, of putting the matter off? Such a desperate villain could not be kept long in confinement; the sooner he was out of the way the better. Pacificatory speeches only inflamed their rage, and hastened the doom of Carnes.

" It is a shame," said a physician, who had forced himself into the ring, " to worry any human creature in this condition. Look at his arm! look at his back! You shall not hang a man as helpless as this one, if I can prevent it."

" Oh, he'll die all the easier," was the answer.

" Are you white men or Indians?" asked the physician, scornfully.

" We are AVENGERS!" shouted the most hardy of the mob.

Someone who was on the side of mercy snatched the rope, and made off with it through the crowd.

" Well, if he won't hang he can drown. Water will feel good to him now, I reckon."

No sooner was the word given, than Carnes was seized upon by a dozen stout "avengers," and borne through the assemblage toward the river. As soon as he was out of the way of interference, he was set upon his feet and compelled to walk, surrounded by his executioners, to the ferry. Here shortly ended the appalling scene. Hurried into a small boat, manned by two rowers, with two to hoist him overboard, the miserable man was taken to the middle of the river, and then thrown out, to struggle vainly with the deadly current. With the last frantic cry of the drowning man mingled a shout of triumph from the Iowa shore. It was Jim, who had witnessed the end of his hated confederate from the other side.

## CHAPTER XV.

## THE LOST FOUND.

THE appearance of Mrs. Wyman's parlor betokened preparation for a journey. Since Mr. Mauvais' return from St. Louis, these preparations had been active, and now they had come to a conclusion. Trunks were strapped and labeled, shawls laid ready, and all the little paraphernalia of travel put in order for immediate departure when the steam-whistle should announce that the packet was at the landing on the next morning. Alicia's few friends had bidden her farewell, and the orphan girl, clad in mourning-weeds, sat gazing at the mild October moon through the open window. She was taking her last leave, in her thoughts, of scenes and a country where she had suffered and grieved so much—more than she could ever suffer or grieve again, for grief seemed to her to have lost its sting, and pain of heart was now only a dull echo to which she was accustomed.

Since her father's funeral, the bitterness of grief had passed away, and was succeeded by a sorrow so serene that it had no occasion even for tears. "I feel that I am reconciled with my father," she often said to Mrs. Wyman, who wanted to see her less composed at times; "because," she said, "it was not natural for a young person to hide her feelings." On this last evening she had shrunk from conversing even with her kind friend, who, finding how silent and sad she was, had finally left her to herself, as Alicia evidently desired. Perhaps she was thinking of one who had not yet taken leave of her—thinking of him, and wondering if he would forget to say farewell. He had not forgotten—he was only waiting to be the last.

"Alicia!"

"Oh, is that you, Frederick? I am so glad you have come."

"Did you fear I had forgotten you, my love? I was waiting for you to be alone. Do you realize how hard it would be for me not to see you this one time more alone?"

She made no answer except to place her hands in his, gazing with an eager, wistful look in his face. Did she feel that it would have been hard for her, too?

"Is your resolution still unaltered, Alicia?"

"I must obey my father's wishes."

"What your father wished while on earth you did obey. How

do you know, dearest, that he would not now disapprove of the course which your submission forces you to follow? I believe he would."

"Because I feel in my heart that he approves of me."

Allen leaned his head on his hand, and sighed heavily. He was trying to think she was right, but to him it could not seem right, and he struggled against his fate and hers.

"Darling," he said, at last, "I don't like to use hard words with you, but it *does* appear to me as if you had become a sort of monomaniac on this subject. I do not wonder at it, dear. The trials you have undergone, with your sensitive organization, are sufficient cause. Nevertheless, I can not bear to have it so—to see you made the victim of a morbid and false conviction of duty. There is no one, Alicia, who does not think as I do about the facts in the case; though seeing you so devoted to your idea, excites their admiration as well as their pity. Have I spoken too plainly, dear?"

"No, Frederick," replied Alicia, with "tears in her voice," "you have neither surprised nor offended me. I am quite conscious of the opinions of others, and this is one of my trials. I do not think it strange that people do not understand me—they could not."

"You think *I* do not understand you, then?" asked Allen, a little hurt.

"Dear Frederick," said Alicia, placing her fair, slender hand on his bowed head tenderly, "it is impossible you should know all my feelings and motives, for, little girl as you think me, I *have* motives not apparent to every one—not even yourself."

"Tell *me* your motives, young lady, for refusing this young man; will you?" spoke a deep but pleasant voice at the door.

The young people started to their feet in surprise and some confusion, to behold Mr. Mauvais and another gentleman, whom Allen immediately remembered seeing once before.

"Pardon this intrusion, Miss Newcome; I beg your pardon, Mr. Allen—that is your name, I believe—but my errand was one that required dispatch. Mr. Mauvais will tell you the business I have come about—simply to take the guardianship of this young lady away from him. What does my niece say to taking her uncle for guardian?" said the stranger, advancing to Alicia and clasping her hand.

"Well, I do declare!" murmured Mrs. Wyman, who, hearing strange voices, came in with a lamp.

"How do you do, madam? You have not forgotten me, I see. I appear and disappear in very mysterious ways, for which I have to ask your pardon. But, as this niece of mine says, one sometimes has motives not apparent to every one—ha! ha!"

"Take seats, gentlemen," said Mrs. Wyman, to her visitors. "I don't know your name, sir, but I am very glad, to see you, if you are a friend of Alicia's."

"My name is Carleton, madam—Sir Deming Carleton, at home—

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Mr. Carleton, in the United States, I suppose. Thank you, I will take a seat."

"Good evening," said Allen, in the doorway.

"No, I beg your pardon, I am not ready to say good evening to you yet, Mr. Allen," Sir Deming said, hastily, rising and bowing to the young man. "Pray remain, sir; you need have no fears of intruding where your company is so desirable," he added, glancing at Alicia, close to whose side he had drawn a chair. "Now, Mr. Mauvais," continued Sir Deming, when Allen was seated, "please tell this young lady the errand we came upon."

"This gentleman," said the Frenchman, addressing himself to Alicia, "has been able to convince me, however reluctantly, that his right to the guardianship of your fair self is better founded than my own. At all events it is based on a legal claim, while mine is not. He is undoubtedly your uncle, on your mother's side, and is able to do for you all which it would have been my highest pleasure to have done. Therefore, I resign you into his hands. I have already prepared him to find in you all that is lovely and endearing, and I wish you, dear Miss Alicia, all the happiness you so eminently deserve."

Correct as was the Frenchman's speech, there was something in the tones of his voice which betrayed his inward disappointment and chagrin. Alicia's quick sensibility perceived it, and she hastened to reply:

"Whatever kindness my new-found relative may bestow on me, Mr. Mauvais, it would be impossible I should ever forget your own, or the great obligations I am under for long-continued services. I trust you will believe I am not ungrateful."

"I know you are all that is good and beautiful," returned Mauvais, gallantly. "But if you will excuse me, Sir Deming, I will take leave, after having introduced you to your niece, as I must return immediately to the post, to retract orders referring to the contemplated voyage down the river to-morrow."

"We should be very glad to have your company the day after."

"Much obliged to you. Shall not have any business, however. Good-night."

"Thank God!" fervently ejaculated Allen, when the door closed on the trader.

Sir Deming laughed.

"What are you thanking God for, Mr. Allen?"

"For answering the most earnest prayer of my heart, and restoring your niece to proper guardianship."

Sir Deming laughed more heartily than before.

"I hear you have desired to change her proprietorship," he said, smiling at Alicia; "and, by the way, she has not yet given us her 'motives' for refusing the change. Perhaps my niece is mercenary, and preferred the rich old Frenchman?"

Alicia blushed and looked down, while Mrs. Wyman came to the rescue.

"She didn't prefer him, sir; that wasn't the way of it, at all. She just thought she must do whatever her father said; and she wouldn't give it up, sir, not even after he died."

"My dear niece," said Sir Deming, in an altered voice, "you did well. It was your constancy and obedience which secured my affection for you—for I have not been ignorant of what has occurred—and has restored you to your right and proper social position." After a pause the baronet continued.

"I can tell you, Mr. Allen, the secret influence which enabled this tender young girl to withstand your entreaties and the impulse of her own feelings. It was the knowledge she had of the fruits of disobedience in her mother. My sister, the Lady Alicia Carleton, was the loveliest and sweetest-souled creature alive when she was my sister. But, she fell from her high estate. She disgraced her lineage by marrying clandestinely with a gardener. She lived a life of poverty and pain. Before she died, she wrote me, secretly, a confession of her fault, and told me that her *daughter would not resemble her in character*. I have seen her severely tried, and I find she has her mother's grace without her mother's faults. I am satisfied with her. Embrace me, my dear child!"

When Alicia felt herself enfolded in her uncle's arms, a weight of grief and care, whose heaviness she had not known until she came to be freed from it, was lifted from her young life. Here was natural affection—legitimate protection—friendship, security and support. She shed some happy tears on her uncle's breast.

"And now, Mr. Allen," said the baronet, as he held his niece in one arm, "as this young lady's guardian, I wish to settle a question which is distressing you very much at this moment, as I can see by your face. You are afraid since I have got her, that I shall take her away from you, without consulting either of you on the subject. No such thing. She wouldn't be run away with—you see I know all about it—and now I have a mind to make her run away with you! What do you say to that, sir?"

"I say, Sir Deming, that I should yield to such a proposition much more readily than your niece was inclined to."

"That's what I presumed. Our sex never could refuse a woman, from the days of Adam down to ourselves. Well Alicia, ask Mr. Allen if he will marry you to-morrow."

"Oh! exclaimed Mrs. Wyman, overcome with surprise. But Alicia said nothing, and Allen blushed like a girl.

"Yes, that is the way; said the baronet. "If I had told you both you should not have one another, you would have had enough to say. But having told you you should, there is perfect silence."

"I should save Miss Newcome the embarrassment of putting such a question, Sir Deming, did not a consciousness of my own unworthiness tie my tongue," said Allen.

"What's that, sir! Are you suddenly become some terrible vil-

lain, who only a few hours ago thought yourself worthy of my niece?"

"Pardon me, Sir Deming, I think you understand that the seeming equality of our circumstances has ceased to exist. You do not believe in unequal marriages—and neither do I."

"Well! well! well!—do you hear that, Alicia? This young republican rejects an alliance with the English aristocracy! Perhaps he wishes you to resign your rights, in order that he may pay his addresses to you still?"

"Heaven knows," said Allen, with emotion, "that I demand no sacrifice from her. It is myself—my love—as pure and ardent a love as man ever felt—that I propose to sacrifice to her present and future good. If I were rich, and could keep her in the social position she is entitled to, the case would then be different. As it is, I can not ask her to marry me."

"By Jupiter, young man, I like your spirit! I like your nation, too. I have seen much of Americans this summer, and I *like* them. A good amount of brag—but they came honestly by that—for there's no greater boaster than John Bull. That's not the question, however. Alicia, will you still ask this gentleman to marry you; or do you consider yourself rejected beforehand?"

"You have authority to give me to whom you choose," she answered, with a slight emphasis on the word *give*, and blushing beautifully.

"Oh, the artfulness of woman!" cried the baronet, laughing. "Who but a woman would have found so smooth a way out of a difficulty? I must give you away, must I? I have half a mind not to humor the republican, to do that. But, if I don't, I shall have you so dull, that your company will quite upset my enjoyment of our travel. Here, Mr. Allen, I *give* her to you. She is yours, and I congratulate you both. Mrs. Wyman does the same, I am sure."

"The Lord be praised!" exclaimed Mrs. Wyman, as Allen received his young bride in his arms. "If ever I wished any thing in my life, I did wish for this!"

"Do you think you can get these young people married to-morrow, Mrs. Wyman? I shall wish to have their company down the river the day after."

The good woman expressed her willingness to do her part toward the wedding preparations.

"This is giving you little time to prepare for a long tour, Mr. Allen," said Sir Deming, after some little time spent in discussing the possibility of so hasty a marriage. "But I have engagements which I wish to meet, in several of the cities. Perhaps your business may be left with a friend?"

"I fear," returned Allen, endeavoring to be composed, and failing most signally, "that you will think me very captious. I can not help suggesting that, as I am not rich, and Alicia is yet young it might be prudent to delay our marriage for two or three years,

while I am getting money, and she is going to some educational institution suitable to her rank. In short, Sir Deming, I am not at present prepared to join you in your extensive plans of travel, on account of my very moderate means."

"Soho! Republican pride again. When a young English aristocrat marries an heiress, he is not so nice about these matters. But, my dear Allen, let me answer both your suggestions at once. As to Alicia's education, it is my theory that there are no better teachers than books and travel. From these we learn every thing it is important to know, and in a pleasanter manner than masters and governesses know how to impart them. Yet, if masters are desirable, we can still have them. Regarding an adequate supply of funds—I propose to be purser on this voyage; and you need fear no delicacy in accepting moneys which can well be spared from Alicia's ample income. Does that satisfy you?"

Allen was expressing his pleasure at the kindness which was almost forced upon him, when the appearance of the constable, diverted the conversation.

"We have the whole matter settled, Wyman," said Sir Deming, grasping the constable's hand. "Nothing now remains but for you to give these young people your blessing; and to confess that, as my confidential correspondent, you have played the part of spy upon them, since last spring."

"Yes it's a fact," Wyman said, in answer to their wondering looks. "'Taint in my natur', tho', to be a spy, and it kinder went across the grain. But, bein' every thing has come out right, I reckon ye can forgive me."

The forgiveness accorded was very hearty and sincere.

When Allen went home that night he found Flag waiting for him at his office. What the young men talked about, it is not relevant to relate; but the "wee sma' hours" of morning had passed before slumber descended upon their eyelids.

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## CHAPTER XVI.

### HOME AGAIN.

It is seven years since the hasty and happy wedding at Mrs. Wyman's. Flag is rich, popular, married, and, what he deserves to be—a Congressman. His wife is one of the fair Western ladies in Washington, distinguished for good sense and good taste. It is Christmas week; and the "distinguished member" is promenading

Pennsylvania Avenue of a fine afternoon, with his wife upon his arm.

"What a handsome couple! murmured the lady to her husband, as they came nearly face to face with another gentleman and lady, bent, like themselves, on enjoying the beautiful December weather.

Our Congressman had unconsciously fallen into a study concerning the Territorial question, and did not observe the strangers until the exclamation of his wife opened his eyes to the present and visible world—the glance that followed was one of immediate recognition on both sides.

"Flag, my old friend, I'm enraptured to meet you," said the gentleman, with warmth.

"And I you. Did Santa Claus drop you out of his basket? Where in the world have you come from?"

"I've come across the sea,  
I've braved every danger,"

answered Allen, laughing. "But let me introduce you to my wife—and please make us acquainted with the lady on your arm."

Flag introduced his wife. "After you departed territorial life," said he, "I found myself so low-spirited that I was obliged to take a trip to the East. While on the round I fell in with this lady, and made love to her. She was so kind as to reciprocate my attachment, and accept a home in the old claim-shanty, which, of course, I brightened up a little for her reception—but, come home with us, where we can talk more freely—I've got a very pleasant house here."

"What are you doing here, if that is not an impertinent question?"

"Attending to the interests of the Territory which I represent."

"Not an M. C.?"

"Oh yes. *You* would have been Chief Justice if you had remained; or, more probably, Governor. "First come, first served," in these new countries. We old settlers reckon ourselves now F. F. N.'s."

"I suppose so," laughed Allen.

"Can you tell me any thing about the condition of the Newcome claim?" asked the Lady Alicia Allen.

"I purchased it," said Flag, "when the land came in market. It has at present a good house on it, and is under pretty good cultivation. It is called the handsomest situation on the upper Missouri."

"Is it for sale?" asked Allen.

"Why? do you want to buy?"

"A Yankee answer! Mrs. Allen would like to own it."

"To occupy it?"

"Occasionally, perhaps; for instance, next summer, when I am off on a buffalo-hunt on the plains. What has become of the Wymans?—we have quite lost the run of them, as well as all the rest of the Fairview people."

"Wyman has been unfortunate. He was laid up for a year about the time the lands were being entered, from an accident, and was not able to pay for what he had selected; so he lost it. They must be very poor."

"But, Sir Deming left some money with him."

"Well, he sent that to his daughter, whose husband was in trouble; and the old couple are pretty badly straitened."

Flag's wife noticed that tears were standing in Lady Alicia's eyes. Allen, too, saw it.

"You have not told me yet whether you would sell the old Newcome claim."

"Oh! certainly I will, if your lady wishes it. Morally speaking, she has a sort of right which I am disposed to regard. Besides, we shall be glad to have you in Fairview once more, where we shall hope you can be persuaded to remain."

"We can not promise; the condition of Sir Deming's health will determine that. At all events, we shall be there for the coming summer."

"It will be so pleasant," remarked Alicia, "if we can get the Wymans to take charge of our place—so much like home for me."

"Yes, dear, so it will." Allen had not lost the habit of calling her "dear." "Then you will let me go on the hunt, for two months, I presume?"

She only answered him with her eyes, but they hardly indicated a willingness to consent to a two months' separation.

"I've never been away from her a day," Allen said to Flag, who was "taking notes" of the lady's appearance.

"Nor I from my wife; nor I don't mean to be. It would grieve us now to be parted for one week; and I have no desire to get over that kind of feeling, as people must who are used to separations."

"Who would have believed we should have made such devoted husbands, when we used to torment the poor Doctor on his reverence for the sex?" laughed Allen. "Poor Doctor! he had the kindest heart!"

"My wife can appreciate your encomium," replied Flag, looking at her significantly; "the Doctor was her first love. It was talking about our intimacy, I believe, that first made her like me; though, of course, she never told me so."

"By the way, Allen, talking about the Doctor naturally suggests the remembrance of something I saw in Kansas, two years ago. I happened to be at Leavenworth, while there was a great camp-meeting going on, and I saw there the two fellows who were in company with Carnes when he was taken. In what character, do you suppose?"

"Go on with your story."

“ One—the youngest—was a Methodist minister, and a good, hard-working, earnest man he seemed to be. I don’t think I should have known him if he had not related his experience to the congregation—which he did with great effect. While he was expatiating eloquently on the dangers youth are exposed to from the influence of bad men of superior minds and powers of persuasion, he suddenly fixed his eye on some one in the immense crowd, and called out: ‘ Jim ! I see you ! Will you not repent and be saved ? ’ ‘ Yes,’ answered a voice which I remembered, ‘ I have repented—but I am not yet saved. I want you all to pray for me.’ Hereupon the minister made one of the most touching prayers I ever heard, and the hardened villain wept like a child, while the congregation shouted, sung, and responded to the prayer. It was the strangest scene I ever witnessed.”

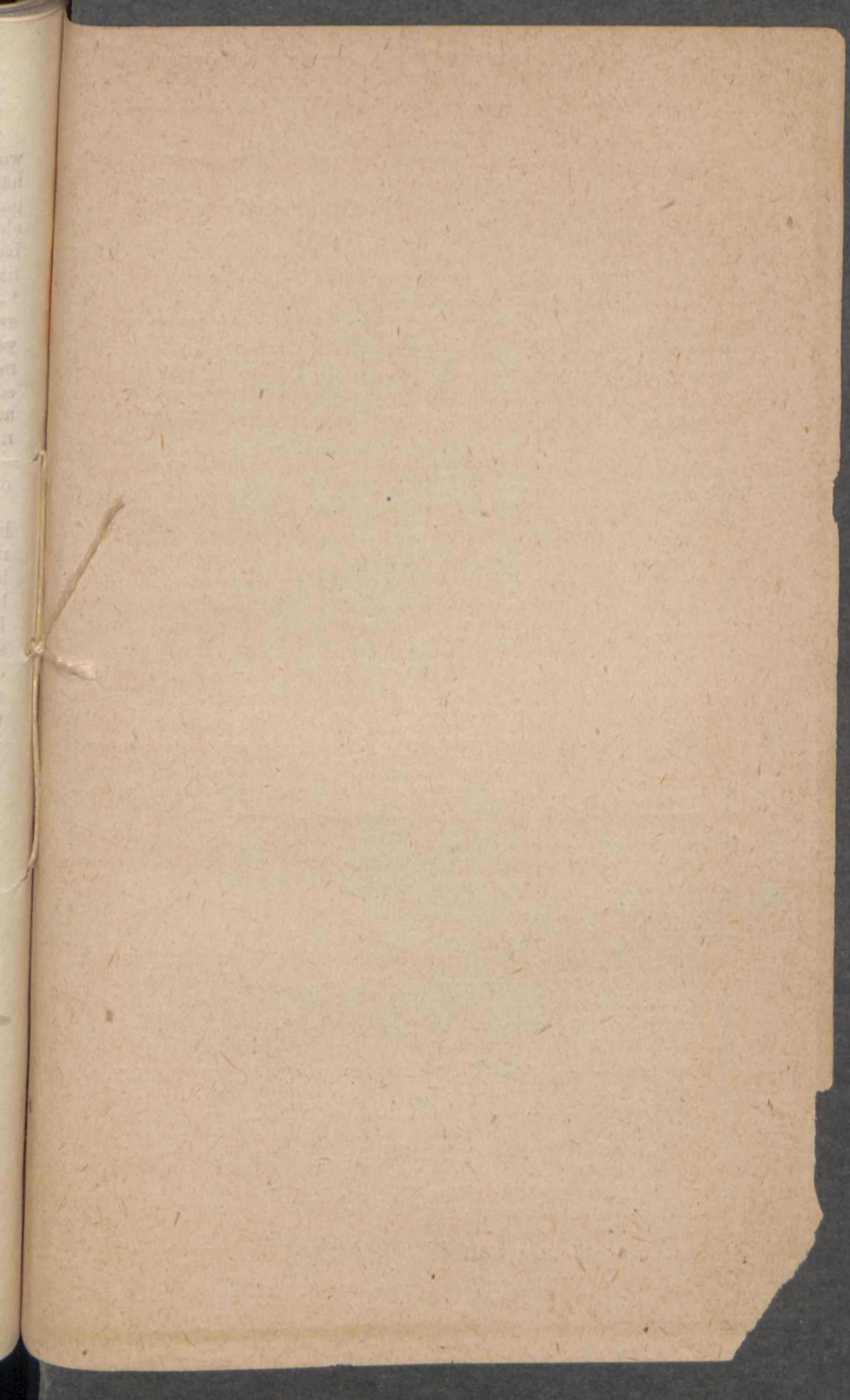
“ I doubt if Jim was saved by all their prayers. What has become of Mauvais—is he still trading with the Indians ? ”

“ No; he has pretty much shaken off the Omahas, who were his last friends among the tribes. Any day you may see the little Frenchman driving over the country, pell-mell, as if the furies were after him, never stopping for hill or bridge, or any thing else. It’s a way he has of working off the extra *vim* of his excitable French nature. He still lives at the old trading-post, and when he is not driving is smoking cigars on the piazza. He gets thinner and thinner, and one of these days must dry up and blow away, if he don’t break his neck. He is never without friends, and never without something to treat them with; and his eye twinkles as merrily as it used to, when he utters his pious benediction, ‘ the Lord be good to you, my friend ! ’ or, his still more familiar expression, ‘ such is life on the upper Missouri ! ’ But here we are at my door.”

Here we will leave them, reader; only pausing to assure you that the constable and his wife are no longer straitened in their circumstances, and that the Newcome claim has become *fair & open*.

THE END.





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